

8/1/02

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SW/S REXIS AVENUE, BETWEEN HONEYGO BLVD.
AND COWENTON AVE. (9102 REXIS AVENUE) * ZONING COMMISSIONER
AND 1.99 ACRE PARCEL ON THE NW/S REXIS AVE. * OF BALTIMORE COUNTY
(MESSICK AND KOWALSKY PROPERTIES) *
11TH ELECTION DISTRICT *
5TH COUNCIL DISTRICT * Case No. 02-483-SPH

RUTH MESSICK AND VIRGINIA KOWALSKY, *
LEGAL OWNERS; *
ARNOLD F. "PAT" KELLER, III, DIRECTOR, *
BALTO.CO OFFICE OF PLANNING, AND *
JOHN F. WEBER, III, DIRECTOR, BALTO. CO. *
DEPT. OF RECREATION & PARKS *
PETITIONERS *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by Baltimore County through Arnold F. "Pat" Keller, III, Director of the Office of Planning, and John F. Weber, III, Director of the Department of Recreation and Parks. The Petition relates to the properties known as 9102 REXIS AVENUE (Parcel 68, 5.8 acres) and a 1.99-acre unimproved parcel (Parcel 480) located on the northwest side of REXIS AVENUE, collectively known as the MESSICK/KOWALSKY properties. The Petitioners request a special hearing for a determination as to whether the Zoning Commissioner should forward to the Planning Board, based upon the assertion made by the Office of Planning and the Department of Recreation and Parks, that the inclusion of the MESSICK and KOWALSKY properties within the Concept Plan for the "Parkside" Development constitutes a Master Plan conflict, pursuant to Section 26-207 of the Baltimore County Code. The subject property is more particularly described on a copy of the Concept Plan for Parkside, which was submitted into evidence as County (Petitioner's) Exhibit 6.

The above-captioned matter was duly advertised, posted and scheduled for a public hearing, which was held in its entirety on June 21, 2002. Appearing at the hearing on behalf of the Department of Recreation and Parks (Petitioners) were John F. Weber, III, Director, Robert C. Bendler, and Patrick McDougal. Lynn Lanham appeared in support of the Petition on behalf of the

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Office of Planning. The Petitioners were represented by John Beverungen, Esquire, and James Nolan, Esquire of Baltimore County's Office of Law. Appearing on behalf of the property owners were Ray Giudice and Doug Eshelman, principals/representatives of Parkside, LLC, Developers of the subject property, and David S. Thaler and Alan Scoll of D. S. Thaler and Associates, Inc., the consultants who prepared the concept and development plans for the proposed project. The Developers/Property Owners were represented by G. Scott Barhight, Esquire. There were no other interested persons present. By agreement of the parties, both sides submitted Post-Hearing Memoranda on July 8, 2002.

At the onset of the hearing, a preliminary issue was raised as to the ownership of the subject properties and whether Parkside, LLC could participate in the hearing as a valid entity in good standing with the State of Maryland, Department of Assessments and Taxation. Apparently, the County contends that Parkside, LLC cannot file concept/development plans if it is not registered in good standing with that State agency. This issue is procedural in nature and is easily resolved. The testimony and evidence offered at the hearing demonstrated that Mr. Giudice and Mr. Eshelman have a proprietary interest in the subject property and are therefore appropriate parties. Moreover, a copy of a State-issued Certificate of Good Standing for Parkside, LLC was submitted subsequent to the hearing. That issue having been resolved, the hearing continued on the merits of the case.

The Messick/Kowalsky properties (hereinafter referred to as "the subject property" or "property") are collectively an irregularly shaped parcel, generally located along the southwest side of Rexis Avenue, between Honeygo Boulevard and Cowenton Avenue in the Honeygo-White Marsh growth area of eastern Baltimore County. The Messick property is an "L" shaped parcel approximately 5.8 acres in area and is identified as Parcel 68 on the tax map. The Kowalsky property contains approximately 2.0 acres and is shown as Parcel 48 on the tax map. This parcel is rectangularly shaped and borders the Messick property on two sides. Collectively, these two properties are rectangular in shape and contain approximately 7.8 acres in area. They form part of an overall tract comprised of five (5) separate parcels, which collectively contain approximately 36

acres, split zoned DR.3-5H (5.52 acres), DR-2H (28.03 acres), and D.R.-1 (2.43 acres). Messrs. Guidice and Eshelman recently acquired the entire tract and propose a residential development of same with 43 single-family dwellings to be known as Parkside.

Under law, a subdivision of that scope need be reviewed pursuant to the development regulations codified in Title 26 of the Baltimore County Code. For such subdivision, the Code sets out a process by which development proposals are reviewed. The process commences with the filing of a Concept Plan by the Developer with Baltimore County, which as the name suggests, is a schematic representation of the proposal. There then follows a Community Input Meeting that occurs during the evening hours at a location within the affected neighborhood at which time citizens can review and comment on the proposal. The Developer then submits a more refined plan (i.e., development plan) to the County at a Development Plan Conference. That plan typically incorporates revisions from the original concept proposal based upon the comments and information received to that point in time. The final step of Phase I of the review process is a Hearing Officer's Hearing before the Zoning Commissioner/Deputy Zoning Commissioner (Hearing Officer) for Baltimore County. Following same, the Hearing Officer approves or denies the plan and renders a decision thereon. If the plan is approved, the project then enters Phase II of the process and ultimately grading and building permits are issued and construction commences. Obviously, if denied, the project does not go forward.

Among the elements of review as part of the process is the mandatory referral of the plan, under certain circumstances, to the Planning Board. This referral is governed by Section 26-207 of the Baltimore Count Code, which states "The Hearing Officer shall refer the plan to the Planning Board in the following circumstances: (1) The proposed plan conflicts with the Master Plan." (Emphasis added) At law, the use of the word "shall" constitutes a mandatory directive. Section 26-208 of the Code sets forth the procedure before the Planning Board, upon such a referral.

In this case, Baltimore County, through the Department of Recreation and Parks and the Office of Planning, aver that the inclusion of the Messick/Kowalsky properties as part of the

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proposed development constitutes a conflict with the Master Plan. As such, they request that the Hearing Officer refer the plan to the Planning Board for further review and action in accordance with Section 26-208. The property owners, Messrs. Guidice and Eshelman, disagree. They contend that no such conflict exists.

There are a number of issues that need be addressed to resolve the question presented. It need initially be noted that the Zoning Commissioner's Office is an independent agency of Baltimore County Government. The Zoning Commissioner and Deputy Zoning Commissioner are not affiliated or considered part of any other County agency, including the Office of Planning and the Department of Recreation and Parks. Indeed, Section 26-3 of the Baltimore County Code establishes the Zoning Commissioner's independent authority. The Zoning Commissioner/Deputy Zoning Commissioner must decide each case upon the facts and law presented and cannot assign additional weight or credibility to a particular position because it is advanced by Baltimore County.

Additionally, although it may be a statement of the obvious, it is clear that the Hearing Officer has the sole authority to determine whether a Master Plan conflict exists and referral to the Planning Board is required. Baltimore County acknowledges the Hearing Officer's authority in this respect, in that it has brought this issue and requested such relief through the instant Petition for Special Hearing. The property owners likewise acknowledge the Hearing Officer's authority within their Post-Hearing Memoranda.

Furthermore, as Counsel for the property owners observed within its memorandum, the manner in which this issue is raised is through a Petition for Special Hearing. The Petition is brought, pursuant to Section 500.7 of the B.C.Z.R. Actually, this matter is a development plan issue, pursuant to the development regulations contained within the Baltimore County Code and not the B.C.Z.R. However, in practice, the Zoning Commissioner is typically called upon to address development plan issues, pursuant to the special hearing process set out in Section 500.7 of the B.C.Z.R. Section 500.7 provides the Zoning Commissioner with a wide latitude and authority to determine rights of any "person in any property in Baltimore County, insofar as they are

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affected by these regulations.” In land use matters, the Office of the Zoning Commissioner is the quasi-judicial authority in matters related to both zoning (B.C.Z.R.) and development (Title 26, Baltimore County Code). Thus, the Petition here is properly brought.

Having addressed these preliminary issues, attention is next turned to the facts of this case. Generally, those facts are undisputed. In July 2001, the Developer instituted the development review process for the Parkside subdivision by filing a concept plan. The concept plan proposed a Planned Unit Development (“PUD”) subdivision. The Office of Planning and Department of Recreation and Parks respectfully submitted Concept Plan Comments regarding that proposal (Protestants’ Exhibits 2 and 4). No Master Plan conflict was identified at that time within those comments by either agency. Typically, a conflict would be identified by those agencies upon initial concept plan review. There then followed a CIM, which occurred on September 6, 2001. Thereafter, on October 1, 2001, the Baltimore County Council passed Bill No. 83-01, which prohibited Planned Unit Developments (PUDs) in the Honeygo area. With the passage of this law, the plan effectively became a nullity.

Thereafter, the Developer submitted a second concept plan, dated March 1, 2001, for which a concept plan conference was held on March 18, 2002. Within its Concept Plan Comments offered, the Department of Recreation and Parks stated that a Master Plan conflict existed. To the contrary, the Office of Planning identified no concept plan conflict; rather it noted that the single-family dwellings proposed were consistent with the Master Plan. Thereafter, on March 21, 2002, the Office of Planning revised its concept plan comments to reflect a “potential” Master Plan conflict.

As of the date of the public hearing on the instant Petition (June 21, 2002), the development plan had not been filed. A community input meeting (CIM) occurred on April 11, 2002 and the instant Petition was filed on or about May 1, 2002. At the hearing, the parties acknowledged that the Hearing Officer’s authority to refer a development plan to the Planning Board would not ordinarily vest until such a development plan was filed. Thus, it might be argued that the instant Petition was premature; however, both parties waived any objection to the timing of

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the filing of the Petition. In this regard, the Developer indicated that its development plan would be filed contemporaneously with the filing of a post-hearing memorandum in this matter. Indeed, the Developer submitted its development plan on or about June 28, 2002. Thus, prior to the closing of the record of this case and the receipt of memoranda on July 8, 2002, a development plan was at issue, and from a timing standpoint, the matter ripe for disposition.

The underlying facts and positions of the parties are clear and not in significant dispute. For their part, the property owners wish to develop the tract, including the Messick/Kowalsky properties, with 43 single-family dwellings as shown on the development plan, a copy of which was attached to Developer's Memorandum. Obviously, the Developer avers that the project is appropriate and complies with all County Codes and regulations.

Baltimore County, on the other hand, wishes to acquire and use the subject property for a park. Baltimore County does not want the Messick/Kowalsky properties to be part of the Parkside subdivision. In this regard, the County has identified the need for parkland and public recreational facilities in the fast-growing Honeygo-White Marsh area. The County has acquired parkland in this area, including tracts that immediately abut the subject property. The Department of Recreation and Parks wishes to likewise acquire the subject property for use in conjunction with the land previously acquired. If the parcel is approved for residential development, the cost for acquisition will obviously be significantly higher. Moreover, if the property is ultimately developed, the opportunity for use of the parcel as parkland will be lost.

The narrow issue to be decided in this case is whether the development plan constitutes a Master Plan conflict. If so, a referral to the Planning Board is mandated. In such an event, the development potential of this parcel will be significantly reduced. The potential cost for County acquisition will no doubt also be reduced. If no such conflict exists, the Developer's path to develop this property in a residential manner will be less obstructed. Although the County could ultimately acquire the site (i.e. through condemnation proceedings), the cost of acquisition will be significantly higher.

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It bears repeating that the potential for Master Plan conflict is the sole issue before this Hearing Officer. I appreciate the fact that the County desires to acquire this property at minimal cost. Certainly, such a goal is consistent with sound fiscal responsibilities. Moreover, I understand and appreciate the lack of existing parkland and the need for additional public recreational facilities. The White Marsh/Honeygo area has grown dramatically in recent years and adequate infrastructure, including parks and other recreational facilities, are necessary to serve the increased population in the area. Nonetheless, in my judgment, this has little relevance as to the narrow legal issue before me.

The document under consideration is the Baltimore County Master Plan, 2010, as enacted pursuant to the requirements of Sections 26-81 through 26-85 of the Baltimore County Code. The Master Plan is prepared by the Planning Board and adopted by the County Council. The Council adopted the present Master Plan on February 22, 2000. In addition to the Master Plan, which addresses Countywide issues, the Honeygo Growth Area is also the subject of a Community Plan dated July 5, 1994. This document is known as the Honeygo Growth Area Plan and is incorporated into the Master Plan by reference.

The word "conflict" is defined by Webster's Third New International Dictionary, Third Edition, as "A clash, competition or mutual interference of opposing or incompatible forces, qualities, ideas or interests." In my judgment, to demonstrate a Master Plan conflict, it must be shown that a particular development plan opposes, clashes and/or contradicts a specific requirement contained within the Master Plan. In support of its contention that such a conflict exists, Baltimore County essentially points to language contained on Page 190 of the Master Plan. Therein, it is indicated, in part, that park and recreation facilities in the White Marsh area are not adequate to serve the existing residents. It is further stated that, "...the deficiency of such facilities in the growth area is greater in most other areas of the County." Under proposed "actions," it is suggested that additional sites be obtained in the Perry Hall-White Marsh area for use as park and recreation sites.

It is apparent that this language is general and not site specific. The statements contained as referenced above apply to this region of Baltimore County and not specifically the subject property. Guidance as to this particular property, in my judgment, is gleaned more by a review of the Perry Hall-White Marsh growth area map for proposed land use, shown on Pg. 192 of the Master Plan. The map, which is color-coded and shows proposed land uses, includes areas for single-family detached dwellings, multi-family dwellings, commercial offices and industrial uses. Additionally, the map shows park and recreation areas as well as agricultural open space. The map was enlarged and submitted by the Developer as Protestants' Exhibit 5. Additionally, the boundaries of the subject property were overlaid on the map. This exhibit clearly shows that the subject property is within a proposed land use area designated for single-family detached housing. Admittedly, the property immediately abutting to the south and west areas are shown as parks/recreation; however, the entire area within the four corners of the subject property is shown as single-family detached housing.

I find that this map is controlling. It shows, on a site-specific basis, those properties and lands that are designated for given land uses. It is more specific than the general comments contained on Pg. 190 of the Master Plan. To apply those general comments to a specific site could lead to an illogical result. Indeed, any undeveloped parcel in the White Marsh region could be designated as potential parkland, given the shortage of recreational facilities in the region.

In addition to the language contained on Pg. 190 of the Master Plan, the County also relies on Pg. 112 of the Master Plan. Therein the County is urged to explore all appropriate avenues for acquiring parklands and open space. As noted above, I take no issue with the Department of Recreation and Parks' efforts to acquire this site in a fiscally responsible manner. However, that general charge contained on Pg. 112 is not site-specific. In my judgment, the map on Pg. 192 is the dispositive factor.

Finally, the County argues that the Master Plan is "evolving." Essentially, the County argues that the Master Plan is not a static document, but its interpretation must recognize ongoing changes and conditions. The County argues that it's acquisition of adjacent parklands justifies the

identification of the subject property as suitable parkland, irrespective of its designation on the Master Plan map found on Pg. 192. Although appreciative of this argument, the law contained in Section 26-207 of the Code is clear. It requires the Hearing Officer to identify Master Plan conflicts, based on the contents of that document as it was enacted by the County Council. The Hearing Officer cannot expand or alter the Master Plan and substitute his judgment in the effort to expand and/or update same. Obviously, the County Council enacted the Master Plan document in 2000. It will be updated 10 years hence in 2010; there will no doubt be changes based on growth and changing land use patterns in the intervening years. For these reasons, I am bound to review the document as it exists today.

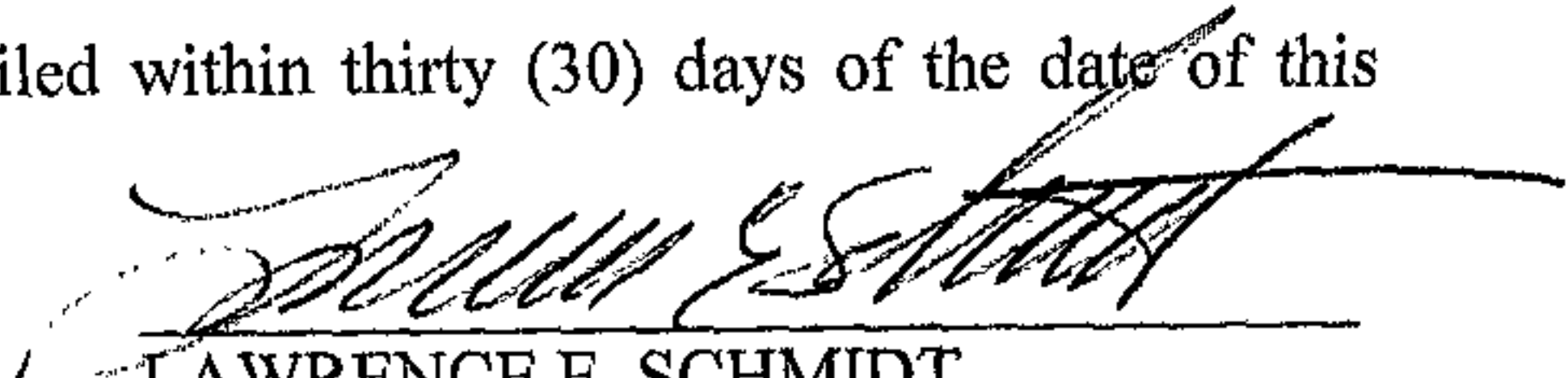
Therefore, based upon the testimony, evidence and arguments presented, I am persuaded that no such Master Plan conflict exists and as such, the development proposal need not be reviewed by the Planning Board. For these reasons, the relief requested shall be denied. Although the County's goal is laudable in this instance, it cannot be accomplished in the manner proposed.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the Petition for Special Hearing shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of August, 2002 that the Petition for Special Hearing seeking a determination as to whether the Zoning Commissioner should forward to the Planning Board, based upon the assertion made by the Office of Planning and the Department of Recreation and Parks, that the inclusion of the Messick and Kowalsky properties within the Concept Plan for the "Parkside" Development constitutes a Master Plan conflict, pursuant to Section 26-207 of the Baltimore County Code, be and is hereby DENIED.

Any appeal of this decision must be filed within thirty (30) days of the date of this Order.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



**Baltimore County
Office of Law**

400 Washington Avenue
Towson, Maryland 21204
410-887-4420
Fax: 410-296-0931

January 10, 2003

HAND DELIVERED

missing these
papers

Kathleen C. Bianco, Administrator
County Board of Appeals of Baltimore County
400 Washington Avenue, Room 49
Towson, Maryland 21204

Re: *In the Matter of Parkside LLC – Legal Owner; Baltimore County Office of
Planning and Department of Recreation and Parks
9102 Rexis Avenue
4th Election District; 5th Councilmanic District
Case No. 02-483-SPH*

Dear Ms. Bianco:

Please be advised that the parties have compromised and settled their dispute regarding the Development Plan Order entered by the Zoning Commissioner/Hearing Officer for Baltimore County, as a result of which, the Zoning Commissioner, on December 31, 2002 entered an Amended Development Plan Order, a copy of which is enclosed herewith.

Accordingly, Baltimore County hereby withdraws its appeal of the Zoning Commissioner's denial, dated August 1, 2002, of the County's Petition for Special Hearing in the captioned case, and requests that the Board mark the case dismissed. Enclosed please find a proposed form of Order.

Very truly yours,

C. Robert Loskot
Assistant County Attorney

cc: G. Scott Barhight (w/enc)
Robert J. Barrett
Edward J. Gilliss
Arnold F. Keller, III

enclosures

C:\OTHER LITIGATION\LETTERS\PARKSIDE LLC-REC&PARKS-CBA-WITHDRAW APPEAL OF MASTER PLAN CONFLICT.WPD

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BALTIMORE COUNTY
BOARD OF APPEALS

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**Baltimore County
Office of Law**

400 Washington Avenue
Towson, Maryland 21204
410-887-4420
Fax: 410-296-0931

January 10, 2003

HAND DELIVERED

Kathleen C. Bianco, Administrator
County Board of Appeals of Baltimore County
400 Washington Avenue, Room 49
Towson, Maryland 21204

Re: *In the Matter of Parkside LLC – Legal Owner; Baltimore County Office of
Planning and Department of Recreation and Parks
9102 Rexis Avenue
4th Election District; 5th Councilmanic District
Case No. 02-483-SPH*

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Assistant County Attorney

cc: G. Scott Barhight (w/enc)
Robert J. Barrett
Edward J. Gilliss
Arnold F. Keller, III

enclosures

C:\OTHER LITIGATION\LETTERS\PARKSIDE LLC-REC&PARKS-CBA-WITHDRAW APPEAL OF MASTER PLAN CONFLICT.WPD

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**BALTIMORE COUNTY
BOARD OF APPEALS**

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IN THE MATTER OF
PARKSIDE LLC – LEGAL OWNER;
BALTIMORE COUNTY OFFICE OF
PLANNING AND DEPARTMENT OF
RECREATION AND PARKS
9102 REXIS AVENUE
11th 4th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 02-483-SPH

ORDER OF DISMISSAL

The captioned action having come before the Board of Appeals on appeal from the Order by the Zoning Commissioner entered August 1, 2002, denying Baltimore County's Petition for Special Hearing, and the parties having agreed to compromise and settle their dispute regarding the Development Plan Order entered by the Zoning Commissioner/Hearing Officer in Case Nos. XI-875 and 03-034-SPHA, pursuant to which, the Zoning Commissioner/Hearing Officer entered an Amended Development Plan Order, a copy of which is attached hereto and incorporated herewith as **Exhibit 1**.

WHEREFORE, it is this _____ day of _____, 2003, by the County Board of Appeals of Baltimore County,

ORDERED, that the appeal In the Matter of Parkside LLC – Legal Owner; Baltimore County Office of Planning and Department of Recreation and Parks, 9102 REXIS AVENUE, 4th, 11th Election District; 5th Councilmanic District, Case No. 02-483-SPH, as aforesaid, be, and the same is hereby **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**

7/8/02

BEFORE THE BALTIMORE COUNTY ZONING COMMISSIONER

IN THE MATTER OF:
PETITION FOR SPECIAL HEARING

JUL - 8 2002

9201 REXIS AVENUE
E/S Honeygo Boulevard
2500' SW of Joppa Road

Case No: 02-483-SPH

Baltimore County, Maryland, Petitioner
Parkside, LLC, Respondent / Protestant

POST HEARING BRIEF OF PARKSIDE, LLC, PROTESTANT / RESPONDENT

The Zoning Commissioner, sitting as Hearing Officer, held an evidentiary hearing on the above-captioned matter on Friday, June 21, 2002. Upon the conclusion of the evidence, the Hearing Officer requested post-hearing briefs to be submitted by the parties to the proceeding. This memorandum constitutes the post-hearing brief of Protestant / Respondent, Parkside, LLC ("Parkside").

Nature of the Proceedings

Baltimore County (the "County"), by and through its Director of Planning, its Director of Recreation and Parks, and its County Attorney, initiated this matter before the Hearing Officer to determine "whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky properties within the "Parkside" Development concept plan constitutes a master plan conflict under Section 26-207 of the Baltimore County Code." See, Petition for Special Hearing, Case No. 02-483-SPH.

The "Messick" and "Kowalsky" properties (the "Properties") are certain parcels of land of which Parkside is the Contract purchaser. The Properties are located approximately 2500 feet south of Joppa Road on the east side of Honeygo Boulevard. Parkside has a contract with other owners for the purchase of other parcels adjacent to and in the vicinity of the Properties and Honeygo Park. Parkside intends to develop all these properties with single family detached dwellings.

As of June 21, 2002, the date of the hearing, Parkside had not yet filed a development plan involving the Properties. Procedurally, the lack of a development plan put the Hearing Officer's jurisdiction over this proceeding in question. However, in an effort to allow the Hearing Officer to resolve the substantive question at issue, Parkside, through counsel, represented to the Hearing Officer that the filing of a development plan substantially in conformity with the previously submitted checkprint was imminent. Furthermore, in an effort to cure the County's defect, Parkside voluntarily waived any objection to the proceeding based on the ripeness of the issue presented. Even so, the Hearing Officer requested that the development plan be filed prior to submission of this memorandum, and a copy be attached. The development plan was filed on Friday, June 28, 2002. A copy is attached to this memorandum.

Lastly, it must be noted that despite having been initiated as a zoning petition for special hearing under BCZR § 500.7, this matter is actually a *development* matter, within the context of the development regulations of the Baltimore County Code. Under BCZR § 500.7, invoked by the County for this proceeding, the Zoning Commissioner has authority to determine the rights of any "person in any property in Baltimore County, insofar as

they are affected by these [zoning] regulations.” The issue presented by the petition does not arise under the zoning regulations, but rather by its terms arises from § 26-207 of the development regulations. The County used the special hearing petition merely as a procedural device to bring the matter to a hearing. Now that a development plan has been filed, the Hearing Officer has jurisdiction, and Parkside waives any objection to the manner in which the County brought the matter to hearing, provided the hearing is recognized as a development matter.

It is important to note that the question presented is an interlocutory matter involving the development plan which was filed on June 28, 2002. As such, whatever order may be passed by the Hearing Officer as a result of this proceeding is appealable under Baltimore County Code, § 26-209, *after final action on the development plan* in accordance with Baltimore County Code § 26-206. “Final action”, of course, is approval, denial, or conditional approval of a development plan, in accordance with § 26-206(a). The Hearing Officer’s order regarding the issue of master plan conflict will be appealable after the Hearing Officer’s Hearing on the development plan, which will be scheduled in accordance with Baltimore County Code, § 26-204(c). The Hearing Officer’s order on this issue of master plan conflict should note these matters for the benefit of the parties.

Statement of Facts

The Properties are located within the Honeygo Growth Area, as described in the Baltimore County Zoning Regulations, and the Baltimore County Master Plan 2010. The Honeygo Growth Area is also the subject of a community plan dated July 5, 1994, entitled Honeygo Growth Area Plan, which is incorporated into the master plan by reference.

The Master Plan 2010 and the Honeygo Growth Area Plan both contain maps which identify proposed land uses. Neither of these maps identifies the proposed land use for the Properties as parkland. Master Plan Map 39 is entitled "Proposed Land Use Map", and shows proposed land uses on a countywide basis. Master Plan Map 29 is entitled "Perry Hall White Marsh Proposed Land Use Map" and, quite obviously shows proposed land uses in the Perry Hall White Marsh area. These maps are consistent with each other, and they both show the proposed land uses for the Properties as "Single Family Detached Dwellings", indicated by the greenish-yellow color on the map.

The Honeygo Growth Area Plan contains a map on page 24, entitled "Recommended Land Use", and a map on page 31, entitled "Recommended Zoning", both of which show single family detached dwellings for the Properties as their recommendations.

The Properties are zoned for residential uses. They are predominately zoned DR 3.5H, with some DR 2H.

The project's history in the context of the development process has become somewhat lengthy. In July 2001 Parkside submitted a *concept plan* for a residential PUD development. The Office of Planning and the Department of Recreation and Parks both submitted *concept plan comments* regarding that submittal. (Protestant's Exhibits 2 and 4.) The Office of Planning's comments reflected a conflict between the multi-family dwellings proposed on the PUD concept plan and the master plan recommendation for single family detached dwellings. The comments issued by the Department of Recreation and Parks did not mention any master plan conflict. There was a *community input meeting* on

the PUD concept plan which occurred on September 6, 2001. Thereafter, on October 1, 2001, the Baltimore County Council passed Bill 83-01 which prohibited PUDs in the Honeygo Area.

With its proposed development as reflected on its July 2001 PUD concept plan effectively outlawed by the passage of Bill 83-01, on March 1, 2002, Parkside submitted a *second concept plan* (County's exhibit 6). This second concept plan proposed single family detached dwellings. There was a *concept plan conference* on this second concept plan which was held on March 18, 2002, at which the Office of Planning and the Department of Recreation and Parks provided comments (County's exhibit 7; Protestants' exhibit 3). The Department of Recreation and Parks noted a master plan conflict in its comments dated March 18, 2002. The Office of Planning, on the other hand, specifically noted that the single family detached dwellings proposed on the concept plan were consistent with the master plan. Thereafter, on March 21, 2002, the Office of Planning issued amended concept plan comments to reflect a "potential" master plan conflict, on account of the need for parkland in Honeygo, but still acknowledging the master plan recommendation for single family dwellings in this area (County exhibit 5). A *community input meeting* on this second concept plan was held on April 11, 2002. Thereafter, the Office of Planning and the Department of Recreation and Parks instituted this proceeding sometime in May 2002. Parkside submitted a development plan on June 28, 2002, a copy of which is attached, which is based on the second concept plan submitted on March 1, 2002.

The development plan proposes 43 single family detached dwellings on the 35.98 acres which comprise all the parcels of which Parkside is the contract purchaser. Of these

43 dwellings, 13 are proposed for development within the 7.8 acres which comprise the Messick and Kowalsky Properties which are the subject of this proceeding.

Honeygo Park binds the Properties to the south. The Properties are bound to the north by the Schwartz property, which was recently acquired by Baltimore County for parkland.

Baltimore County has demonstrated a significant interest in acquiring the Properties for parkland. The Properties first received attention for acquisition by Baltimore County in November 2000. At that time, several people within Baltimore County government and solely among themselves, including the Director of Recreation and Parks, identified the Properties as a "key acquisition" because they provide a land bridge between the "Schwartz" property and Honeygo Park. Furthermore, the Department of Recreation and Parks has documented a deficit of parkland in Baltimore County, and specifically in Honeygo, which the acquisition of the Properties would be a first step in relieving. In the spring of 2001, the Department of Recreation and Parks contacted the Bureau of Land Acquisition, and requested that the Bureau contact the owners to determine their level of interest in selling the properties to the County. Quite obviously, the owners decided to pursue a sale to Parkside instead of the County.

Applicable Law

Whether a development plan conflicts with the Master Plan is a matter entirely within the jurisdiction of the Hearing Officer. Baltimore County Code, § 26-207(a)(1) is extremely clear that, "[t]he hearing officer shall refer the [development] plan to the Planning Board in the following circumstances: (1) The proposed plan conflicts with the

master plan.” The plain language of the section indicates that the decision as to whether a plan conflicts with the master plan is reserved unto the Hearing Officer.

If the Hearing Officer determines that there is a conflict between the development plan and the master plan, the Hearing Officer then refers the development plan to the Planning Board for its action under Baltimore County Code, § 26-208 and § 26-66. Section 26-66 instructs the Planning Board to make a report to the County Council as to whether it is appropriate to “reserve” the property at issue, and thereby halt the development process for a period of 18 months, during which the County may pursue condemnation of the property. However, it must be stressed that the decision as to whether the plan presents a conflict is entirely with the Hearing Officer. The Planning Board only acts under §§ 26-208 and 26-66 *if* the Hearing Officer first determines that there is a master plan conflict. It is also important to stress that the County may pursue condemnation of the Properties at any time.

The Court of Special Appeals considered the mechanism under Baltimore County law for referral to the Planning Board in *Monkton Preservation Association v. Gaylord Brooks Realty Corporation*, 107 Md.App. 573 (1996). In that case, the Court of Special Appeals, after reciting the provisions of Baltimore County Code, § 26-207(a)(1), affirmed the Hearing Officer’s refusal to refer the development plan there at issue to the Planning Board, after the Hearing Officer found no master plan conflict. *Id.*, at 584.

Based upon the testimony and evidence presented by Baltimore County at the hearing in this matter, there apparently is some confusion regarding the unambiguous provisions of Baltimore County Code, § 26-207. The language of the Petition for Special

Hearing initially suggested a misapprehension on the part of the County regarding the scope of the authority of the Hearing Officer. The Petition requests that the Zoning Commissioner determine not whether there is a master plan conflict, but rather whether he should forward to the Planning Board the assertion that the inclusion of the Properties within the concept plan constitutes a master plan conflict, apparently for final determination by the Planning Board. Also, Mr. Keller's written comments to the Zoning Commissioner suggest that the matter be referred to the Planning Board to determine whether there is, in fact, a master plan conflict. There must be a misunderstanding of the relative functions of the Hearing Officer and the Planning Board. Lastly, Ms. Lanham's comments on the stand were likewise misinformed, when she stated that it was her understanding that the Planning Board would make the final determination as to whether there is a master plan conflict.

The Court of Special Appeals has affirmed factual and legal conclusions regarding consistency with the master plan, when such conclusions are based on the land uses recommended or proposed in the master plan. In *Art Wood Enterprises v. Wiseburg Community Association*, 88 Md.App. 723 (1991), the Court of Special Appeals affirmed the decision of the Board of Appeals and the CRG, which had found no master plan conflict between the residential development plan at issue, and the master plan designation of rural and agricultural land uses. In doing so, the Court implicitly approved consideration

of the master plan proposed land use designation in determining master plan conflicts.¹

The law is clear that it is the role of the Hearing Officer to determine whether a master plan conflict exists. Only if he finds that there is a master plan conflict will the matter then go to the Planning Board for recommendation to the County Council as to whether the Properties should be "reserved" under Baltimore County Code, § 26-66.

The Development Plan for Parkside Does Not Conflict with the Master Plan

Three simple and undisputed facts establish that the Parkside development plan does not conflict with the master plan: 1) the location of the Properties, 2) the land use proposed by the development plan, and 3) the land use proposed by the master plan. Protestant's exhibit 5 shows all three of these facts.

The Properties are located about 2500 feet south of Joppa Road, on the east side of Honeygo Boulevard, just to the north of Honeygo Park, also on the east side of Honeygo Boulevard. The proposed Parkside development is outlined in black on Protestant's exhibit 5 (very irregular shape). The development plan proposes 43 single family detached dwellings in all, 13 of them on the Properties which are the subject of this proceeding.

Map 29 is entitled, "Perry Hall White Marsh Growth Area Proposed Land Use",

¹ As noted in the text, the Court of Special Appeals also considered the issue of master plan conflicts in *Monkton Preservation Association v. Gaylord Brooks*, 107 Md.App. 573 (1996). In that case, the Court found that even where the zoning regulations arguably diverge from the master plan land use recommendations, adherence to the zoning code will not generate a master plan conflict. *Monkton Preservation* involved cluster development and increased residential densities in the RC 4 zone identified as a master plan conflict by the protestant community association. The Court of Special Appeals deferred to the Hearing Officer for his determination that there was no master plan conflict.

and quite obviously reflects *proposed* land uses within its bounds.² The same map is located in the Master Plan 2010 at page 192, which is Baltimore County's exhibit 3. Map 29 clearly indicates that the proposed land use for the Properties is "single family detached".

Bringing these three facts together leads to the inescapable conclusion that the Master Plan 2010 proposes single family detached dwellings for this particular area, just as proposed by the Parkside development plan. There is no master plan conflict.

The Honeygo Growth Area Plan, incorporated into the Master Plan 2010 by reference at page 256 and 257 buttresses this conclusion. Community plans, such as the Honeygo Plan, are intended to provide "detailed recommendations to improve specific areas of the County." Master Plan 2010, p. 253. Recommended land uses appear on page 24 of the Honeygo Plan. Once again, as with map 29 in Master Plan 2010, the Honeygo plan proposes single family detached dwellings for this area. Once again, no master plan conflict.

Even the County's own concept plan comments reveal that there is no *bona fide* master plan conflict. For example, seizing upon essentially the same facts as outlined above, the Office of Planning's *first set* of concept plan comments dated March 18, 2002 (Protestant's exhibit 3), based on the March 1, 2002 concept plan which resulted in the

² Contrary to the initial assertion of Mr. Weber, Map 29 is in fact a proposed land use map, a matter which Mr. Weber eventually conceded after he initially stated that the map reflects existing land uses. This is especially important in light of the fact that the Rush property is proposed to be parkland on Map 29, and it is in fact presently in private ownership, and not used for recreational or parkland purposes. Alan Scoll, Parkside's sole witness, discussed the Rush property during his testimony, which appears at page 140 of the Transcript. The Rush property appears on Protestant's exhibit 5, and is the northern of the two properties in private ownership outlined in black within the limits of the master plan areas identified as parkland.

June 28, 2002 development plan, state:

The site is located within the Honeygo Run Subareas of the Honeygo Plan, adopted by the County Council July 5, 1994 as an amendment to the Master Plan. The single family residential development proposed by the concept plan is consistent with the land use recommendations of the Honeygo Plan and Master Plan 2010, "Single Family Detached". . . . The single family detached residential housing proposed by the concept plan is consistent with the recommendations of the Honeygo Plan.

This stands in stark contrast to the Office of Planning's comments on the PUD concept plan of July 1, 2001, which proposed multi-family housing for this site. Based on the same type of analysis, these comments (Protestant's exhibit 2) state:

The single family residential development proposed by the contrast plan is consistent with the land use recommendations of the Honeygo Plan and Master Plan 2010, "Single Family Detached". . . . The single family attached residential and multi-family housing proposed by the PUD is inconsistent with the recommendations of the Honeygo Plan.

After having relied on the master plan land use recommendations on two distinct occasions, both involving the same Properties, the Office of Planning then took a significant step away from these land use recommendations. In its amended concept plan comments dated March 21, 2002 (County's exhibit 5), the Office of Planning acknowledges the land use recommendations for the Properties as "single family detached". But it then ignores the land use recommendations in favor of vague language discussing the need to acquire non-specific parkland to support its assertion of master plan conflict. Ms. Lanham explained that the Office of Planning changed its mind about the potential master plan conflict in order to be consistent with the assertions of the Department of Recreation and Parks. The Office of Planning was not even aware of any suggestion of a master plan conflict until it was informed of the position of the

Department of Recreation and Parks. Until the Department of Recreation and Parks told the Office of Planning that it intended to purchase the property for parkland, the Office of Planning asserted that there was no master plan conflict. The Office of Planning was relying upon the clear language of Master Plan 2010 to support its earlier assertion of master plan consistency. Then, it changed its mind, merely to be consistent with the comments of the Department of Recreation and Parks.

If these facts do not constitute a master plan conflict, we should review what facts and circumstances would constitute a master plan conflict. The development of the Rush property for residential uses, when that property is proposed on Map 29 for parkland, would be a master plan conflict. If Parkside were developing the Rush property, then the County could, and should, properly assert a master plan conflict. The proposed land use for the Rush property is for recreational and park use.

Given the inconsistencies contained in the various staff comments, it is prudent to explore the explanation offered by the County witnesses. Ms. Lanham cited a lack of coordination with the Department of Recreation and Parks before the Office of Planning issued its March 18, 2002 comments. Of course, it must be noted that the Department of Recreation and Parks produced three pages of concept plan comments relating to the July 1, 2001 concept plan, and failed to cite any master plan conflict in its July 30, 2001 concept plan comments involving the PUD plan. Of these comments, two pages dealt only with the contrast plan for the PUD, which showed 39 single family dwellings in all. In all of these detailed comments dealing with almost precisely the same type of development as the June 28, 2002 development plan, there was not even a mention of potential master

plan conflict. (Protestant Exhibit 4). The first mention of master plan conflict for a single family detached development was the Department of Recreation and Parks' comments dated March 18, 2002, nearly nine months after the development of the Properties was first at issue. (County's Exhibit 7).

Ms. Lanham and Mr. McDougall both tried to minimize the import of the recommendations of the master plan proposed land use maps by stating that the master plan is not a detailed document, and does not make recommendations for specific properties. Considering the detail to which the proposed land use maps are drawn, this hardly seems like a plausible position to take. Furthermore, it ignores the fact that the Office of Planning itself relied virtually exclusively on the proposed land use maps in its comments dated July 30, 2001 (Protestant's exhibit 2), and its comments dated March 18, 2002 (Protestant's exhibit 3). It also ignores the fact the Master Plan describes the function of community plans such as the Honeygo plan, or even the Perry Hall White Marsh Growth Area section of the Master Plan 2010, as providing "detailed recommendations" for discrete areas of the County. Master Plan 2010, pp. 253.

**Baltimore County's Admittedly Demonstrated Interest in the Properties
Is Insufficient to Create a Master Plan Conflict**

On the Hearing Officer's questioning of the Director of Recreation and Parks, Mr. Weber, the County's theory of its case became clear. The Zoning Commissioner asked Mr. Weber why he thought the proposed development of the Properties was a master plan conflict. Mr. Weber responded,

Specifically because we have an obligation to acquire additional parkland in the Honeygo Growth Area and the Perry Hall White Marsh Communities,

and specifically because this particular piece of land becomes a connection between two other pieces of parkland [Honeygo Park and the Schwartz property] that will be valuable in serving the communities' needs.[³] Transcript, attached, p. 116.

The County appears to be placing a great deal of emphasis on a particular action item found in the Master Plan 2010. Action item 6, p. 112, states "Explore all appropriate avenues for acquiring key parklands, including use of the County's power of condemnation. . . . The timely purchase of important prospective park sites must be facilitated to avoid acquisition cost increases that occur when properties are purchased or planned for development". Mr. McDougall identified this action item as particularly significant in giving the Department of Recreation and Parks a "stake" in pursuing land which it identifies as "key" and fitting well into the park system. This, he said, gives the Department of Recreation and Parks the power to use "whatever means are necessary to go and acquire the land." Mr. McDougall, Baltimore County's Recreation and Parks Land Planner, was articulating the, "It's a Master Plan Conflict, Because We Say It Is A Master Plan Conflict" theory of master planning.

It is interesting that the County would place so much emphasis on this particular action item, as Parkside also intended to raise the Hearing Officer's attention to this item. This action item illustrates the legal truism that the County has the absolute right to have the Properties for their park, and they can have them very quickly. It's called, "the power

³ Parkside hastens to note that the Schwartz property, acquired for parkland by Baltimore County, is not a master planned park. This is to say the Schwartz property is not identified on any master plan map as parkland. Indeed, it is shown on the proposed land use maps as single family detached residential use. From this fact it is virtually impossible to come to the legal conclusion that the failure to join the Schwartz property to Honeygo Park through the Messick and Kowalsky Properties is a master plan conflict.

of eminent domain", and the proceeding is instituted in the Circuit Court for condemnation. The County can institute a "quick-take" proceeding, and be grading ballfields before the end of July. Indeed, action item 6 on Page 112 of the master plan contemplates that "appropriate means" includes condemnation. The County can seek to acquire the property by condemnation.

Nevertheless, for some reason, the County has not instituted any condemnation proceeding, even though it could have done so back in November 2000. One might inquire about the motivation for failing to condemn the property now. Perhaps, the motivation is to allow the County to encumber the property with an 18 month development moratorium, with its desire being to negatively impact the marketability of the property, drive the contract purchaser away, and then take the property from Messick and Kowalsky at a fire sale price. The Properties will undoubtedly not have the same value if separated from one larger tract of development. The Hearing Officer should seize upon this opportunity to instruct the Department of Recreation and Parks and the Office of Planning that such tactics are not acceptable.

It is undisputed that the County has been very interested in acquiring the Properties since November 2000. However, this interest simply does not create a master plan conflict with the Parkside development plan. Contrary to the assertion of Baltimore County, its master plan is not an "organic and evolving" document. It is a static document which intentionally requires a tremendous amount of effort and deliberation to amend. The master plan can be amended, as it is from time to time by the passage of community plans. In fact, Master Plan 2010 specifically states the land use maps may be

amended periodically as needed. Master Plan 2010, p. 258. While the master plan is subject to a certain degree of interpretation, it is not subject to enlargement or amendment without county council action.

Even so, the County seems to be taking the extraordinary position that the Department of Recreation and Parks should have the ability to create master plan conflicts at its whim. Mr. Weber should not have the ability to walk up and down Honeygo Boulevard and, with the mere expression of interest in property for parkland, create a master plan issue, and a master plan conflict. But, silly as it may seem, it is essentially the County's argument: The master plan says we need parkland. You have property that is near a park. I think your property would make a nice extension of the park. Therefore, your use of the property, even in accordance with the zoning regulations and the proposed land use maps of Master Plan 2010 and the Honeygo Plan, is a master plan conflict. Why? Because Mr. Weber says so.

The master plan must put the public on notice of the uses actually contemplated and preferred for particular land. A person of reasonable intelligence must be able to look at the master plan and understand what uses are proposed for his property, or property he is considering purchasing. The County's argument in this case would leave property owners in the dark as to the actual preferred uses for their properties. In this instance, it would actually place the parkland use above all others, especially if the property owner is unfortunate enough to own land which would "fit well into the park system" in Honeygo. It would follow from the County's reasoning that any proposed development

for any use other than parkland in the Perry Hall White Marsh area would also be subject to reservation on master plan conflict grounds. Property owners, beware.

This case amounts to an effort by the Office of Planning and the Department of Recreation and Parks to usurp the power of the Baltimore County Council. Notwithstanding the clear designations on the Master Plan 2010 proposed land use maps, these agencies would like to amend these maps at their whim. This assertion is incredible.

Instead of condemning the Property, the County, probably short of funds, is attempting to invoke the jurisdiction of the Hearing Officer and (eventually) the Planning Board, and seek the extraordinary relief of "reservation" under Baltimore County Code, § 26-66. This case is unwarranted. The relief sought against Parkside offensive to the property rights of the citizens of Baltimore County.

Conclusion

The undisputed evidence discloses that the Properties are within an area where the master plan proposes single family detached housing. The development plan proposes single family detached housing. There is no master plan conflict.

The asserted "master plan conflict" is an item on Mr. Weber's wish list, and unfortunately for him, it is not supported by the master plan itself. If he wants the property, let him condemn it. Otherwise, the rights of the owners and contract purchasers to proceed with the development process should be sustained.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "G. Scott Barhight", written over a horizontal line.

G. Scott Barhight

Dino C. La Fiandra

Whiteford, Taylor & Preston L.L.P.

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(410) 832-2000

Attorneys for Parkside, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of July, 2002, a copy of the foregoing Brief was mailed first class, postage prepaid to:

John Beverungen, Esquire
Baltimore County Law Office
400 Washington Avenue, 2nd Floor
Towson, Maryland 21204


G. Scott Barhight

7/8/02

22

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
9102 REXIS AVENUE AND 1.99 ACRES *
NORTHWEST SIDE REXIS AVENUE, 2500' * ZONING COMMISSIONER
SW OF JOPPA ROAD AND COWENTON AVE *
NW OF REXIS AVE * FOR
11TH ELECTION DISTRICT, 5TH COUNCILMANIC *
BALTIMORE COUNTY
LEGAL OWNER: RUTH MESSICK *
AND VIRGINIA KOWALSKI * CASE NO. 02-483-SPH
PETITIONERS: ARNOLD F. "PAT" KELLER, DIRECTOR *
BALTIMORE CO. OFFICE OF PLANNING *
AND JOHN F. WEBER, III, DIRECTOR *
BALTIMORE COUNTY DEPT. OF REC. & PARKS *

JUL 8 2002

Petitioner(s) *

PETITIONERS' MEMORANDUM OF LAW

Petitioners, by their undersigned counsel, hereby file this Memorandum of Law in connection with the hearing held in the above-captioned matter, which took place on June 21, 2002, and state as follows:

June 21, 2002 Hearing

At the hearing on June 21, 2002, Petitioner, Baltimore County, requested the Hearing Officer to refer the Parkside LLC plan to the Planning Board to determine whether or not there was a Master Plan conflict. G. Scott Barhight, Esquire, represented the Protestants, Parkside LLC, Ray Guidice and Doug Echelman.

Counsel for Baltimore County made several preliminary motions. Baltimore County pointed out that Parkside LLC was not formed¹ until August, 2001, and therefore did not qualify as an "applicant" with respect to the June 26, 2001 concept plan submitted. In addition,

¹Attached hereto as Exhibit "1" is a certificate from the State Department of Assessments & Taxation, establishing that at the present time Parkside LLC is not in good standing in Maryland. As such, Baltimore County respectfully suggests that it was inappropriate for

Baltimore County moved to enforce the subpoena which had been issued to Ray Guidice and Parkside LLC to produce any and all contracts related to the Parkside LLC development.

The Hearing Officer called Ray Guidice as a witness and adduced from him testimony that Parkside LLC has a contract interest in the property "at this time."

Counsel for the Protestants raised a number of procedural issues, but stated on the record that the Protestants waived all of their objections concerning those procedural issues.

Petitioner called Patrick McDougall, a Planner with the Baltimore County Department of Recreation and Parks for 14 years. Mr. McDougall described the State's Program Open Space and his involvement in the analysis of the recreational needs of the Honeygo Growth Area. Baltimore County Exhibit No. 1 was a map depicting the Honeygo Growth Area. The map depicted a number of properties which had been purchased by the County to increase the amount of parkland in the area. One of the properties was the Schwartz property which was acquired in June, 2000. In November, 2000, the County identified the Kowolski/Messick properties for purchase, since this would permit a contiguous park to include the Schwartz property purchase and the existing large county-owned parkland to the south of the Kowolski/Messick property.

Baltimore County introduced Exhibit No. 2, a letter from Pat Keller to John Weber dated March 21, 2001. Mr. McDougall testified about a meeting in early 2001 with the head of Baltimore County's Bureau of Land Acquisition, Shirley Murphy, and the preliminary discussions which took place with the owners of the Kowoloski/Messick property.

Mr. McDougall also testified concerning County Exhibit No. 3, Baltimore County's Master Plan 2010. Mr. McDougall discussed the County's parkland acreage needs and the six

Parkside to participate in the June 21 hearing, and any submissions on behalf of this entity should be stricken from the record of this case as a matter of law.

actions that are specified at page 112 in the Master Plan to meet the County's needs. This included Action 6 which states as follows:

“Explore all appropriate avenues for acquiring key parklands, including use of the county's power of condemnation. Creative solutions are particularly important in established communities where open space must often be created by redeveloping built sites. The timely purchase of important prospective park sites must be facilitated to avoid acquisition cost increases that occur when properties are purchased or planned for development.”

Mr. McDougall also testified about the item set forth in the margin of page 112 of the Master Plan: “The County's open space program will focus on securing open parcels of land suitable for active recreational use.” Mr. McDougall testified about specific issues related to the Perry Hall-White Marsh Growth Area including a deficiency of park and recreation facilities. He stated that the deficiency of park and recreation facilities in the area is greater than in most other areas of the County, a fact highlighted at page 190 of Master Plan 2010.

Mr. McDougall also testified about County Exhibit 4, the Land Preservation and Recreation Plan for the Honeygo area, and the specific acreage deficit which existed in the Honeygo Growth Area.

Lynn Lanham, who has 13 years of experience at the Baltimore County Office of Planning, testified about her involvement in the review of the Parkside LLC Concept Plans. Specifically, she testified about County Exhibit 5, the Amended Concept Plan Conference comments, in which she identified a potential conflict with the master plan and recommended a referral to the Planning Board. She also testified in similar fashion with respect to County Exhibit 6, comments regarding the March 1, 2002 Concept Plan. Ms. Lanham was unequivocal in her belief that the submitted Concept Plan presented a conflict with the Baltimore County Master Plan and thus required a referral to the Planning Board.

John Weber, Director of the Baltimore County Department of Recreation and Parks, testified about the importance of the County acquiring the Kowolski/Messick properties to connect existing County parkland to the recently purchased Schwartz property tract. Mr. Weber was unequivocal in his opinion that the Parkside LLC Concept/Development Plan was in direct conflict with Master Plan 2010.

The only evidence presented by the Protestants came from Allen Scoll, a landscape architect with D.S. Thayler. Mr. Scoll testified about protestants' Exhibit No. 5, a revised Honeygo Growth Area map which he had prepared. Surprisingly, Mr. Scoll did not render any opinion as to whether the Parkside LLC plan presented a conflict with Master Plan 2010. Mr. Scoll merely testified about a sidewalk along Honeygo Blvd. and a steep slope in that area.

Legal Argument

The above-captioned special hearing was held to "determine whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalski properties within the 'Parkside' Development Concept Plan constitutes a master plan conflict." Following discussions on the record in the above-captioned hearing, it was agreed that protestant's counsel would file a copy of a development plan with its Memorandum of Law, so that any potential conflict with Baltimore Code §26-207 (which arguably is not triggered until the filing of a development plan) is averted.

Under the Baltimore County Charter, the master plan is discussed as follows:

Definition and implementation of master plan. The master plan shall be a composite of mapped and written proposals setting forth comprehensive objectives, policies and standards to serve as a guide for the development of the county. Upon receipt of the master plan from the office of planning and zoning, the county council shall accept or modify and then adopt it by resolution.

Charter §523(a).

The other relevant statutory provision is found in the Baltimore County Code, and it discusses referrals to the planning board, and provides in pertinent part as follows:

The hearing officer shall refer the plan to the planning board in the following circumstances:

(1) The proposed plan conflicts with the master plan;

Baltimore County Code, §26-207(a)(1).

In the present matter, petitioners contend that the Parkside Development Plan, which indisputably includes the Messick and Kowalski properties, conflicts with textual provisions of the 2010 Master Plan. At page 112 of Master Plan 2010, the County is urged to:

Explore all appropriate avenues for acquiring key parklands, including use of the County's power of condemnation. Creative solutions are particularly important in established communities where open space must be created by redeveloping built sites. The timely purchase of important prospective park sites must be facilitated to avoid acquisition cost increases that occur when properties are purchased or planned for development.

Thereafter, and in a discrete section dealing with the Perry Hall-White Marsh Growth Area - - the area in which the subject parcels lie - - the master plan provides that "the deficiency of park and recreation facilities in the growth area is greater than that of most other areas of the County." Master Plan 2010, p. 190. In addition, the master plan, under its requested "actions," urges the County to "acquire additional park sites in the Perry Hall-White Marsh area, including sites needed as a requirement of the Honeygo Growth Area Plan." Master Plan 2010, p. 190.

Thus, the conflict asserted by petitioners concerns respondents' proposed inclusion of the Messick/Kowalski properties in their Parkside Development, which would frustrate the County's success in achieving and securing additional parklands in the White Marsh Growth Area. In the

section that follows, Petitioners provide an abundance of logical and legal support for referral of this matter to the planning board.

Although there is a dearth of legal authority addressing the precise issues herein, there is a recent case from the Court of Special Appeals which does address the master plan conflict issue. In Monkton Preservation Association v. Gaylord Brooks Realty Corporation, 107 Md. App. 573 (1996), the court considered a case wherein the County Board of Appeals and a hearing officer found that a developer's proposal to construct a project known as Mager's Landing did not conflict with the applicable master plan. In finding that the development plan did not present a conflict with the master plan, the hearing officer placed great significance upon the fact that all County agencies reviewed the project and believed it complied with all applicable laws, and the "planning office also was of the opinion that the matter did not need to be referred to the planning board." Id. at 584.

In the case at bar, unlike Monkton Preservation Association, the Zoning Commissioner heard testimony from the Director of Recreation and Parks (John Weber) that in his opinion the proposed Parkside development constituted a master plan conflict. In addition, Ms. Lynn Lanham, Section Chief, Development Review of the Office of Planning, likewise testified that the Office of Planning was of the opinion that the proposed Parkside Development constituted a master plan conflict. In these circumstances, the planning office's opinion is a pivotal if not determining factor. Indeed, pursuant to Baltimore County Charter §522.1, it is the planning office which has the responsibility and duty for preparing and revising the master plan, as well as "monitoring the implementation of the master plan." As such, the petitioners have supplied more than enough evidence establishing that the proposed Parkside Development constitutes a master

plan conflict, and that the Zoning Commissioner should, pursuant to §26-207(a)(1) of the County Code, refer the matter to the planning board.

“Evolving” Master Plan

In addition to the legal authority presented above which justify petitioners’ relief, a more detailed examination of the master plan reveals that such a referral is warranted herein. Indeed, it is readily apparent that the master plan is written at a generic/global level, and presents a list of suggested actions which would benefit Baltimore County. As noted above, it is the planning office which is obliged, pursuant to §523 of the Baltimore County Charter, to create and monitor implementation of the master plan, including reporting every two years to the County Executive and the County Council on progress in this regard.

Thus, by design, the master plan is an organic document which is clarified and refined during its ten-year life span. The office of planning, through issuance of letters of concurrence and related advice, helps to steer development efforts (which is akin to a microscopic viewpoint) so that the goals of the master plan are achieved when viewed from a County-wide or macroscopic prospective. It is at this juncture that the chronology of events in the case at bar becomes relevant.

The Baltimore County Department of Recreation and Parks’ interest in the Messick/Kowalski properties began as early as Fall 2000, and petitioners admitted documents establishing the State Department of Natural Resources’ concurrence in the Messick/Kowalski acquisition, and a letter of concurrence from Arnold F. “Pat” Keller, Planning Director, dated March 2001. Thus, as of March 2001, Baltimore County, with the concurrence of relevant State and County agencies, had selected the Messick/Kowalski parcel as a way of achieving the “action” urged by the 2010 Master Plan - - i.e., secure more parkland in the woefully deficient

White Marsh Growth Area. Indeed, it was more than five months after these events that Parkside LLC was formed and allegedly secured an option to purchase the Messick/Kowalski properties, giving rise to the master plan conflict.

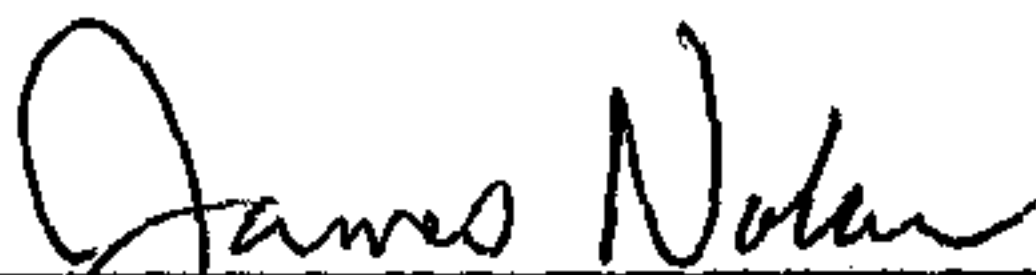
Again, the Parkside Development Plan includes the very land that as of March 1, 2001 was earmarked by the County to satisfy the master plan's direction to acquire more parkland in this underserved section of the County. In essence, the planning office's March 1, 2001 concurrence (which also deemed the acquisition to be consistent with the 2010 Master Plan) caused the subject property to become "identified" to the master plan, giving rise to the conflict issue.

Finally, if one were to adopt either of the interpretations urged by respondents, a master plan conflict would never arise, and Section 26-207(1) of the County Code would be rendered a nullity. On the one hand, respondents seem to place great significance on the fact that Master Plan 2010 does not specifically mention the Messick/Kowalski parcel as a suitable or desirable acquisition for County parkland. Of course, and as Mr. Pat McDugal testified, the master plan does not speak at this level of specificity, since to do so would inevitably lead to land speculation. In like fashion, the respondents seem to attach some significance to the fact that the area of the master plan in which the subject parcels are located is shaded yellow, indicating a use for single family detached dwellings, the very use proposed in the Parkside Development Plan. Carrying that nonsensical argument to its conclusion would lead to absurd results: nothing but single family detached homes would be built in the Honeygo White Marsh Growth Area, and the clearly required infrastructure elements, such as parks, sewers, roads, and other amenities would be neglected, a result obviously not intended by Master Plan 2010, the text of which specifically identified and recognized the need for more parkland in this critically underserved area.

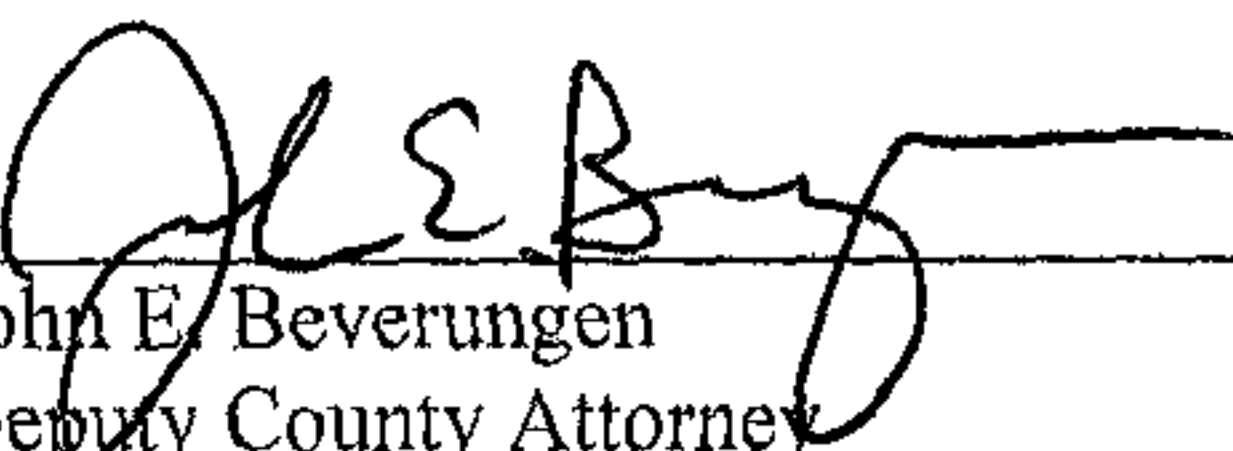
WHEREFORE, for the foregoing reasons, petitioners respectfully request the Zoning Commissioner to refer this matter to the planning board pursuant to Baltimore County Code §26-207(a)(1).

Respectfully Submitted,

Edward J. Gilliss
County Attorney



James Nolan
Assistant County Attorney

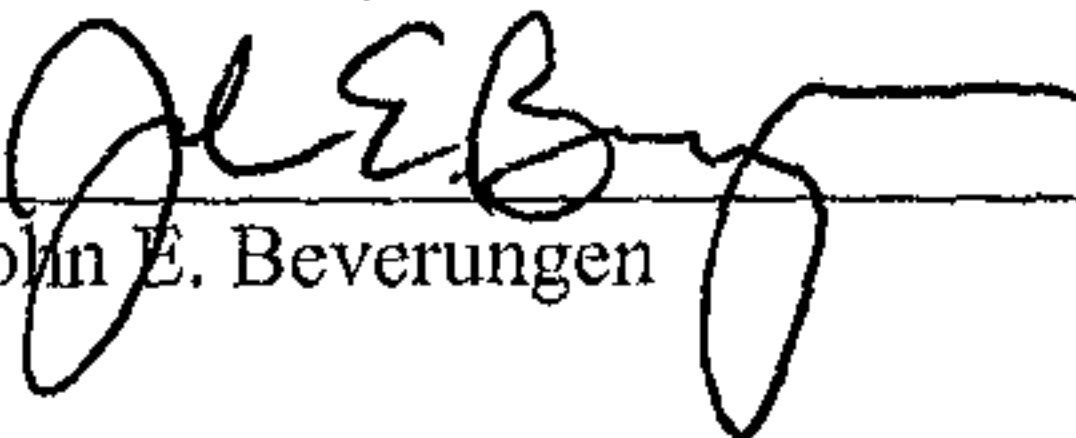


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8 day of July, 2002, a copy of the foregoing Legal Memorandum was mailed, postage prepaid, to:

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
Court Towers, Suite 400
210 West Pennsylvania Avenue
Towson, Maryland 21204



John E. Beverungen



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

properties
for the ~~property~~ located at 9102 Rexis Ave & 1.99 AC NWS
Rexis Ave.

which is presently zoned DR 2H, DR 3.5H

This Petition shall be filed with the Department of Permits and Development Management. The undersigned ~~petitioners~~ ~~owners~~ of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should ~~approve~~ forward to the Planning Board the assertion by the Office of Planning and The Department of Recreation and Parks that the inclusion of the Messick and Kowalsky properties within the "Parkside" Development concept plan constitutes a master plan conflict under Section 26-207 of the Baltimore County Code.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

John Beverungen

Name - Type or Print

Signature

Baltimore County, Maryland

400 Washington Avenue ext. 4420

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

~~Legal Owners~~ Petitioners:

Arnold F. "Pat" Keller, III

Name - Type or Print

Signature

John F. Weber, III

Name - Type or Print

Signature

301 Washington Avenue 410-887-3806

Address Telephone No.

Towson Md. 21204

City State Zip Code

Representative to be Contacted:

Jeff Long, Office of Planning

Name

401 Bosley Avenue, 4th. Floor ext. 3480

Address Telephone No.

Towson, MD. 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By SM/WCR Date 05-01-03

ORDER RECEIVED FOR FILING
Date 5/1/03
By [Signature]

Case No. 02-483-SP4

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-483-SPH

9102 Raxle Avenue

2,500' SW of Joppa & Cowentown Avenue NW of Regis Avenue

11th Election District - 5th Councilmanic District

Legal Owner(s): Arnold F. Keller III, John F. Weber III,

301 Washington Avenue, Towson 21204

Special Hearing: to determine whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky Properties within the "Parkside" Development concept plan constitutes a master plan conflict.

Hearing: Thursday, June 13, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/4/01 May 30

0541497

CERTIFICATE OF PUBLICATION

5/30/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/30/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-525-A

Petitioner/Developer: _____

Ira & Jean Fedder

Date of Hearing/Closing: 6.19.02

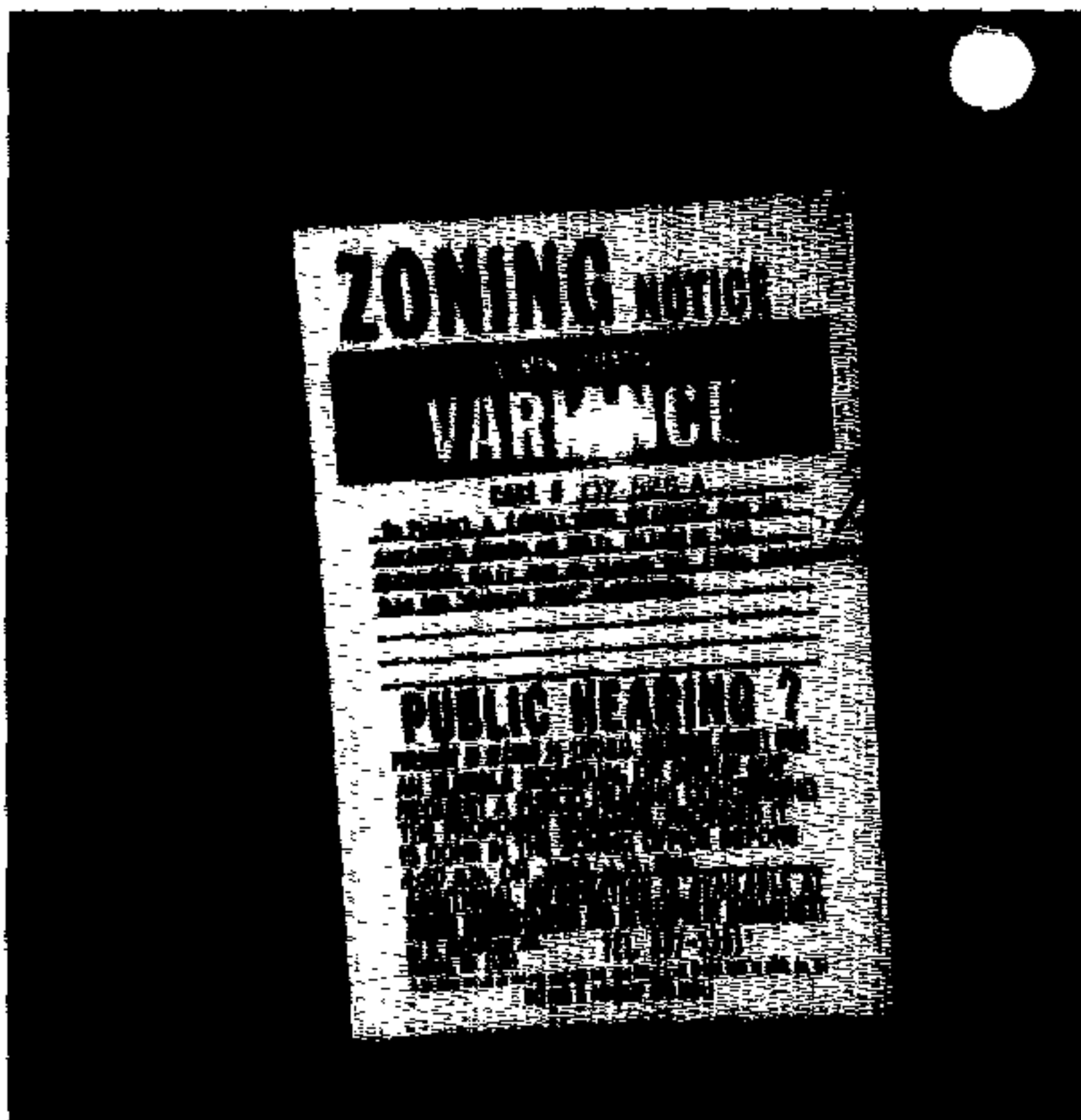
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7 Green Heather Ct.
Pikesville, MD 21208

The sign(s) were posted on May 29, 2002
(Month, Day, Year)



Sincerely,

Stacy Gardner 5-29-02
(Signature of Sign Poster and Date)

Stacy Gardner

(Printed Name)

SHANNON-BAUM SIGNS INC.

105 COMPETITIVE GOALS DR.

ELDERSBURG, MD. 21784

(City, State, Zip Code)

410.781.4000

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No. 02-483-SPH
Petitioner/Developer:
Arnold F. Keller III
Hearing Date: **06/21/02**

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Mr. George Zahner

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **9102 Rexis Ave. and on Honeygo Blvd.**

The sign(s) were posted on **06/05/02.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas J. Hoff', is written over a horizontal line.

Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668

APPEAL SIGN POSTING REQUEST

CASE NO.: 02-483-SPH

PARKSIDE LLC - LEGAL OWNERS

9102 REXIS AVENUE

11TH ELECTION DISTRICT

APPEALED: 8/9/02

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 02-483 SPH

Petitioner/Developer:

Parkside LLC

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

The sign was posted on 8/21/02, 2002

By: 
(Signature of Sign Poster)

GARY FREUND
(Printed Name)



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 16, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-483-SPH

9102 Rexis Avenue

REXIS

2,500' SW off Joppa & Cowentown Avenue NW of Regis Avenue

11th Election District – 5th Councilmanic District

Legal Owner: Arnold F Keller III, John F Weber III, 301 Washington Avenue,
Towson 21204

Special Hearing to determine whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky Properties within the "Parkside" Development concept plan constitutes a master plan conflict.

HEARING: Thursday, June 13, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

POSTED 5/29/02
GF

Arnold Jablon G.D.Z.
Director

C: Arnold F Keller III, John F Weber, III, 301 Washington Avenue, Towson 21204
John Beverungen, Baltimore County Maryland, 400 Washington Avenue,
Towson 21204
Jeff Long, Office of Planning, 401 Bosley Avenue, 4th Floor, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 29, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 30, 2002 Issue – Jeffersonian

Please forward billing to:

W. Carl Richards, Jr.
Baltimore County, Maryland
111 W Chesapeake Avenue
Towson MD 21204

410 887-3391

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-483-SPH

9102 Rexis Avenue

2,500' SW off Joppa & Cowentown Avenue NW of Regis Avenue

11th Election District – 5th Councilmanic District

Legal Owner: Arnold F Keller III, John F Weber III, 301 Washington Avenue,
Towson 21204

Special Hearing to determine whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky Properties within the "Parkside" Development concept plan constitutes a master plan conflict.

HEARING: Thursday, June 13, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G72
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

June 5, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-483-SPH

9102 Rexis Avenue

2,500' SW off Joppa & Cowentown Avenue NW of Regis Avenue

11th Election District – 5th Councilmanic District

Legal Owner: Arnold F Keller III, John F Weber III, 301 Washington Avenue,
Towson 21204

Special Hearing to determine whether or not the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky Properties within the "Parkside" Development concept plan constitutes a master plan conflict.

HEARING: Friday, June 21, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: Arnold F Keller III, John F Weber, III, 301 Washington Avenue, Towson 21204
John Beverungen, Baltimore County Maryland, 400 Washington Avenue,
Towson 21204
Jeff Long, Office of Planning, 401 Bosley Avenue, 4th Floor, Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY JUNE 6, 2002.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

FEES ? WANTED

WHO WILL ~~PAY~~ OUR

POSTING (inspection)
WILL POST
WILL WE GO

PLANNING WILL
PAY ADVERTISING
DONT

PER A.J.

02-483 SPL
GEORGE

PLEASE ASSIGN
THIS HEAVY DUTY
A.S.A.P.

CALL SETT LONG
WILL PLANNING TO
TALK WITH THE
LAW

PLANNING WILL
PAY ADVERT
FEES. HAVE PAPER
BILL - JEFF LONG.

FEES ? WANTED

WHO WILL ~~PAY~~ OUR

POSTING (inspection)
WILL POST
WILL WE GO

PLANNING WILL
PAY ADVERTISING
DONT

PER A.J.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 7, 2002

Arnold F Keller III
301 Washington Avenue
Towson MD 21204

Dear Mr. Keller:

RE: Case Number: 02-483-SPH, 9102 Rexis Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 01, 2002

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: John F Weber III, 301 Washington Avenue, Towson 21204
John Beverungen, Baltimore county Maryland, 400 Washington Avenue,
Towson 21204
Jeff Long, Office of Planning, 401 Bosley Avenue, 4th Floor, Towson 21204
People's Counsel

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 9, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 13, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

(1183)
472, 475-479, 482-487

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: May 29, 2002

FROM:  Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for May 13, 2002
Item No. 473, 475, 476, 477, 478, 479, 481, 482, (483) 484,
485, 486 and 487

The Bureau of Development Plans Review has reviewed the
subject zoning items and we have no comments.

RWB:CEN
Cc: file

file
6/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: May 20, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAY 20

SUBJECT: 9102 REXIS AVENUE

INFORMATION:

Item Number: 02-483

Petitioner: Arnold F. "Pat" Keller, III

Zoning: DR 2H, & DR 3.5H

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request for a Special Hearing under Section 500.7 of the BCZR to determine if the Zoning Commissioner should forward to the Planning Board the assertion by the Office of Planning and the Department of Recreation and Parks that the inclusion of the Messick and Kowalsky properties within the Parkside Development constitutes a master plan conflict.

Prepared by: Mark A. Cunniff

Section Chief: Lydia Parker

AFK/LL:MAC:

RE: PETITION FOR SPECIAL HEARING
9102 REXIS AVENUE AND 1.99 ACRES
NORTHWEST SIDE REXIS AVENUE, 2500' SW OF JOPPA RD &
COWENTON AVE, NW OF REXIS AVE
11TH ELECTION DISTRICT, 5TH COUNCILMANIC

LEGAL OWNER: RUTH MESSICK AND VIRGINIA KOWALSKI
PETITIONERS: ARNOLD F. "PAT" KELLER, DIRECTOR, BALTO. CO.
OFFICE OF PLANNING AND JOHN F. WEBER, III,
DIRECTOR BALTO. CO. DEPT. OF REC & PARKS
PETITIONER(S)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-483-SPH
*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to John Beverungen, Esq., Baltimore County Office of Law, 400 Washington Avenue, 2nd Floor, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 12, 2002

G. Scott Barhight Esquire
Whiteford Taylor & Preston
210 W Pennsylvania Avenue
Towson MD 21204

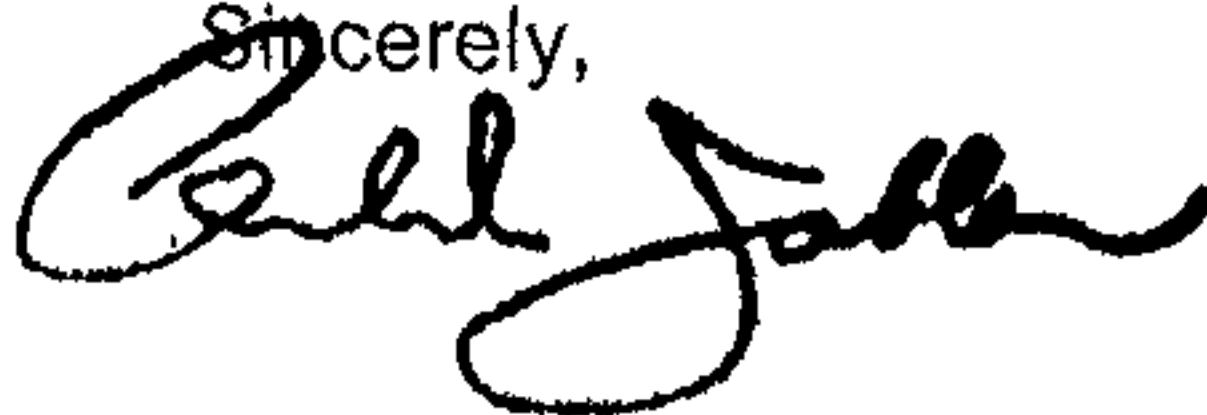
Dear Mr. Barhight:

RE: Case No. 02-483-SPH, 9102 Raxis Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on August 9, 2002 by John E Beverungen on behalf of Arnold F Keller, III, Director Baltimore County Office of Planning and John F Weber, III, Director Baltimore County Department of Recreations and Parks. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

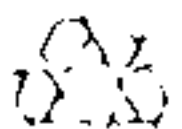
If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,


Arnold Jablon GDZ
Director

AJ: gdz

c: John E Beverungen, Baltimore County Office of Law
Arnold F 'Pat' Keller, III, Director, Baltimore County Office of Planning
John F Weber, III, Director, Baltimore County Department of Recreation
And Parks
Ray Giudice, 525 E Seminary Avenue, Towson 21286
Doug Eshelman, 5635 Vantage Point Road, Columbia 21044
D.S. Thaler & Alan Scoll, D.S. Thaler & Associates Inc,
7115 Ambassador Road, Baltimore 21244
People's Counsel



APPEAL

Petition For Special Hearing
9102 Rexis Avenue
2500 SW of Joppa & Cowentown Avenue NW of Regis Avenue
11th Election District – 5th Councilmanic District
Parkside LLC - Legal Owner
Baltimore County Office of Planning & Department of Recreation & Parks
- Contract Purchaser
Case No.: 02-483-SPH

- ✓ Petition for Special Hearing (dated 05/01/02)
- ✓ Zoning Description of Property (none)
- ✓ Notice of Zoning Hearing (dated 06/02/02)
- ✓ Certification of Publication (The Jeffersonian issue no copy)
- ✓ Certificate of Posting (dated 06/05/02 posted Thomas J Hoff)
- ✓ Entry of Appearance by People's Counsel (dated 05/22/02)
- ✓ Petitioner(s) Sign-In Sheet (none)
- ✓ Protestant(s) Sign-In Sheet (1 sheet)
- ✓ Citizen(s) Sign-In Sheet (none)
- ✓ Zoning Advisory Committee Comments

02 AUG 13 AM 2:49

Petitioners' Exhibits:

- ✓ 1. Honeygo Growth Area Parklands and Acquisitions (dated March 1995)
- ✓ 2. Letter to John F Weber, Director from Arnold F. 'Pat' Keller, III Director of Planning (dated 03/21/01)
- ✓ 3. Master Plan 2010 (dated 02/22/00)
- ✓ 4. Northeast Area Parkland Summary: 2000
- ✓ 5. Inter-Office Correspondence to Arnold Jablon, Director – Department of Permits & Development Management from Arnold F. 'Pat' Keller, III, Director – Office of Planning dated 03/21/02
- ✓ 6. Parkside Concept Plan (dated 03/01/02)
- ✓ 7. Concept Plan Conference Comments (dated 03/18/02)

Protestants' Exhibits:

- ✓ 1. Letter to D.S. Thaler & Assoc., Inc, from Joe Chmura, Development Management (dated 04/25/02)
- ✓ 2. Inter-Office Correspondence to Arnold Jablon, Director – Department of Permits & Development Management from Arnold F. 'Pat' Keller, III, Director – Office of Planning (dated 07/30/01)
- ✓ 3. Inter-Office Correspondence to Arnold Jablon, Director – Department of Permits & Development Management from Arnold F. 'Pat' Keller, III, Director – Office of Planning (dated 03/18/02)
- ✓ 4. Concept Plan Conference Comments (dated 07/30/01)
- ✓ 5. Page 192 – Master Plan 2010

✓ Miscellaneous (Not Marked as Exhibits): (none)

✓ Zoning Commissioner's Order (dated 08/01/02 - DENIED)

✓ Notice of Appeal received on 08/09/02 from John E Beverungen, on Behalf of Arnold F. 'Pat' Keller, III, Director, Baltimore County Office of Planning & John F Weber, III, Director, Baltimore County Department of Recreation & Parks

John E Beverungen, Baltimore County Office of Law
Arnold F 'Pat' Keller, III, Director, Baltimore County Office of Planning
John F Weber, III, Director, Baltimore County Department of Recreation
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

G SCOTT BARHIGHT ESQUIRE
WHITEFORD TAYLOR & PRESTON
210 W PENNSYLVANIA AVEUE
TOWSON, MD 21204

RAY GIUDICE
525 E SEMINARY AVENUE
TOWSON MD 21286

~~PARKSIDE LLC
7115 AMBASSADOR ROAD
PO BOX 47428
BALTIMORE, MD 21244-7428~~

D S THALER & ALAN SCOLL
D S THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MD 21244

DOUG ESHELMAN
5635 VANTAGE POINT ROAD
COLUMBIA MD 21044

Case No. 02-483-SPH

Parkside LLC – Legal Owner
Baltimore County Office of Planning and Department of
Recreation & Parks – C.P.

SPH – Determination as to whether the ZC should forward to Planning Board the assertion that inclusion of Messick and Kowalsky properties within Concept Plan for "Parkside" constitutes Master Plan conflict.

8/01/02 - ZC's Order in which Petition for Special Hearing was DENIED.

9/12/02 – Entry of appearance filed by G. Scott Barhight and Dino C. LaFiandra on behalf of Parkside LLC. File noted.

9/13/02 – Notice of Assignment sent to following; assigned for hearing on Thursday, December 19, 2002 at 10:00 a.m.:

John E. Beverungen, Deputy County Attorney
Edward J. Gilliss, County Attorney
Arnold F. "Pat" Keller III, Director
John F. Weber III, Director
G. Scott Barhight, Esquire
Dino C. La Fiandra
Parkside LLC
Ray Guidice
Doug Eshelman
D. S. Thaler and Alan Scoll /D.S. Thaler & Assoc.
Office of People's Counsel
Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

12/19/02 – Board convened; settlement reached between parties (County through counsel, Loskot, and Petitioner through counsel, Barhight); this matter will be dismissed upon final signature and settlement of related issues and letter of dismissal of appeal submitted by Baltimore County through R Loskot. Order of Dismissal will then be issued.

12/30/02 – Copy of letter from R. Loskot to L. Schmidt – upon execution of Amended Order by Zoning Commissioner, Baltimore County will notify the Board of Appeals - conditional withdrawal of appeal is final; Order of Dismissal may be issued by Board.

1/10/03 – Letter from R. Loskot – parties have compromised and settled dispute; copy of Amended Development Plan Order attached; Baltimore County withdraws appeal of ZC's Order dated 8/01/02. Order of Dismissal to be issued.



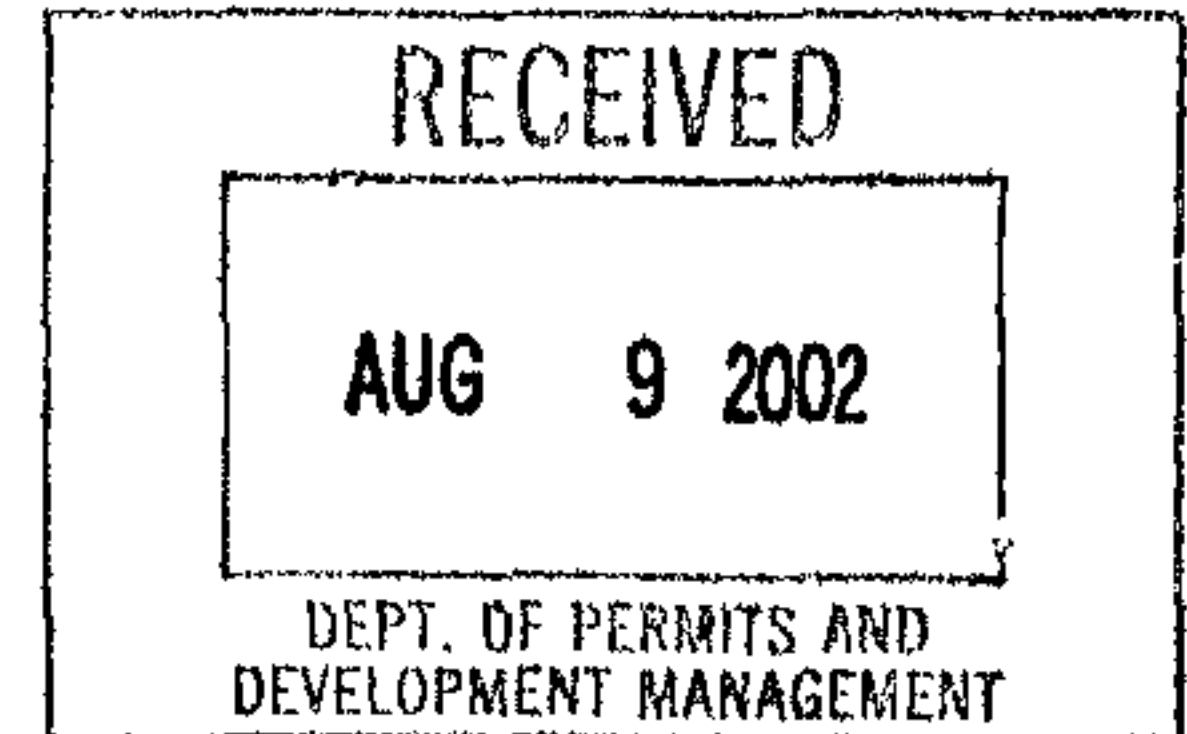
**Baltimore County
Office of Law**

400 Washington Avenue
Towson, Maryland 21204
410-887-4420
Fax: 410-296-0931

August 9, 2002

VIA HAND DELIVERY

Arnold Jablon, Director
Department of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



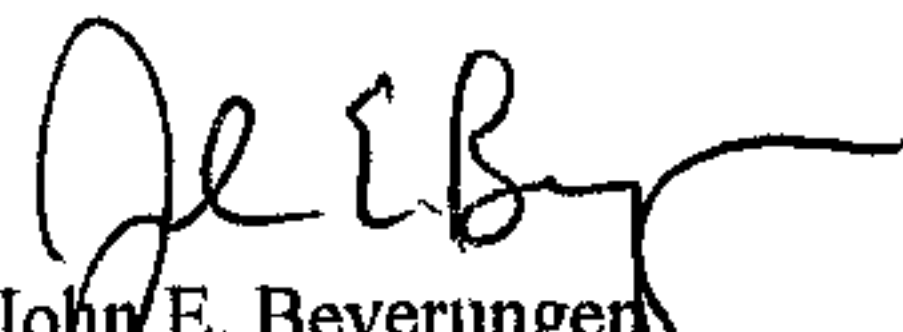
**Re: In the Matter of: Ruth Messick and Virginia Kowalsky,
Owners/Parkside LLC, Contract Purchasers;
Baltimore County Office of Planning & Department of
Recreation and Parks – Petitioners
Case No. 02-483-SPH**

Dear Mr. Jablon:

On behalf of Baltimore County, Arnold F. "Pat" Keller, III, Director, Baltimore County Office of Planning and John F. Weber, III, Director, Baltimore County Department of Recreation and Parks, please note an appeal of the decision of the Zoning Commissioner dated August 1, 2002, in the above-entitled case. Kindly forward a copy of the official file in this matter to the County Board of Appeals.

Thank you.

Sincerely yours,


John E. Beverungen
Deputy County Attorney

c: Arnold F. "Pat" Keller, III, Director, Office of Planning
John F. Weber, III, Director, Department of Recreation and Parks
G. Scott Barhight, Esq., Whiteford Taylor & Preston
210 W. Pennsylvania Avenue, Towson, Md. 21204
Ray Giudice, 525 E. Seminary Avenue, Towson, Md. 21286
Doug Eshelman, 5635 Vantage Point Road, Columbia, Md. 21044
D. S. Thaler & Alan Scoll, D.S. Thaler & Associates, Inc.
7115 Ambassador Road, Baltimore, Md. 21244
People's Counsel
Board of Appeals

Come visit the County's Website at www.baltimorecountyonline.info



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 29, 2002

Mr. G. Scott Barhight
Whiteford Taylor & Preston
210 W Pennsylvania Avenue
Towson MD 21204-4515

Dear Mr. Barhight:

RE: Case Number 02-483-SPH: 9102 Rexis Avenue

The above matter previously scheduled for June 13, 2002 at 11:00 a.m. in Room 407, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDZ
Director

AJ: gdz

C: Mr. John Beverungen, Baltimore County, Maryland, 400 Washington Avenue,
Towson 21204
Mr. Arnold F. Keller, III, 301 Washington Avenue, Towson 21204
Mr. John F Weber, III, 301 Washington Avenue, Towson 21204
Mr. Jeff Long, Office of Planning, 401 Bosley Avenue, 4th Floor, Towson 21204

ZONING COMMISSIONER OF BALTIMORE COUNTY

County Courts Building
401 Bosley Avenue
Room 407
Towson, Maryland 21285-6754

Baltimore County
Plaintiff

v.

Case No. 02-483-SPH

Parkside LLC
Defendant

AFFIDAVIT OF SERVICE OF PROCESS

Anne N. Burgess, being under oath, duly deposes and states:

1. I am a competent person over eighteen (18) years of age and am not a party to the above-entitled action.
2. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true and correct.
3. On June 6, 2002 at approximately 10:30 a.m., I attempted to effect service of process upon Mr. Angelo Giudice on behalf of Parkside, LLC at 525 East Seminary Avenue, Towson, Maryland 21204. A female answered the door and informed me that she was the wife of Angelo Giudice, whose name is Barbara Giudice. Mrs. Giudice told me that her husband was not home, and she refused to accept the Subpoena I was attempting to serve.
4. On June 7, 2002 at approximately 9:15 a.m., I again attempted to effect service of process at the above-location and noted that an automobile (bearing Maryland license tag no. WHK464) was in the driveway and that such vehicle had not been in the driveway on my

JUN 10 2002

previous attempt at services. Upon reviewing the records of the Motor Vehicle Administration, I have determined that the above-identified vehicle is titled in the name of Angelo Giudice.

5. I again knocked on the door at the residence at 525 Seminary Avenue, and again, Barbara Giudice answered the door and stated that Mr. Giudice was not at home. At that time, I informed Mrs. Giudice that I was leaving legal papers with her related to her husband and Parkside, LLC and such papers were left in the foyer of the Giudice home.

A handwritten signature in cursive script, reading "Anne N. Burgess".

Anne N. Burgess, Investigator
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4420

ZONING COMMISSIONER OF BALTIMORE COUNTY

County Courts Building
401 Bosley Avenue
Room 407
Towson, Maryland 21285-6754

Baltimore County
Plaintiff

v.

Case No. 02-483-SPH

Parkside LLC
Defendant

SUBPOENA

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: Custodian of Records
Parkside LLC
525 East Seminary Avenue
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; (X) Produce documents and or objects only; () Personally appear and produce documents or objects at: Baltimore County Office of Law, 400 Washington Avenue, Second Floor, Towson, Maryland 21204 on Wednesday, the 12th day of June, 2002 at 10:00 a.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Any and all documents concerning and/or related to Parkside LLC's status as "contract purchaser" of the properties at issue in the above-referenced matter.

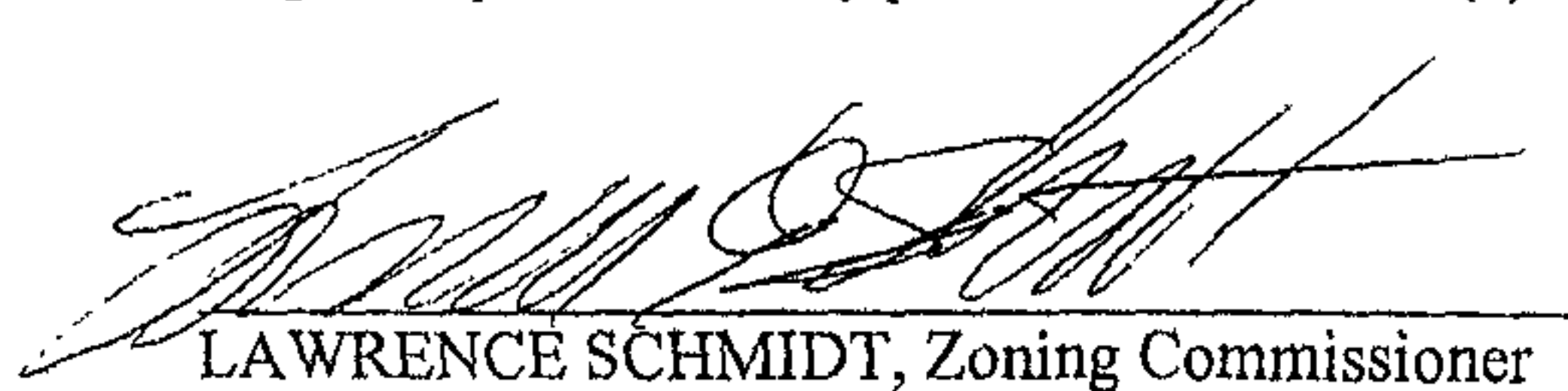
Subpoena requested by (X) Plaintiff; () Defendant; and any questions should be referred to:

John E. Beverungen, Deputy County Attorney, 400 Washington Avenue, Towson, Maryland 21204; (410) 887-4420.

Date Issued: 6/4/02

NOTICE:

- (1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
- (2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
- (3) If this Subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).


LAWRENCE SCHMIDT, Zoning Commissioner



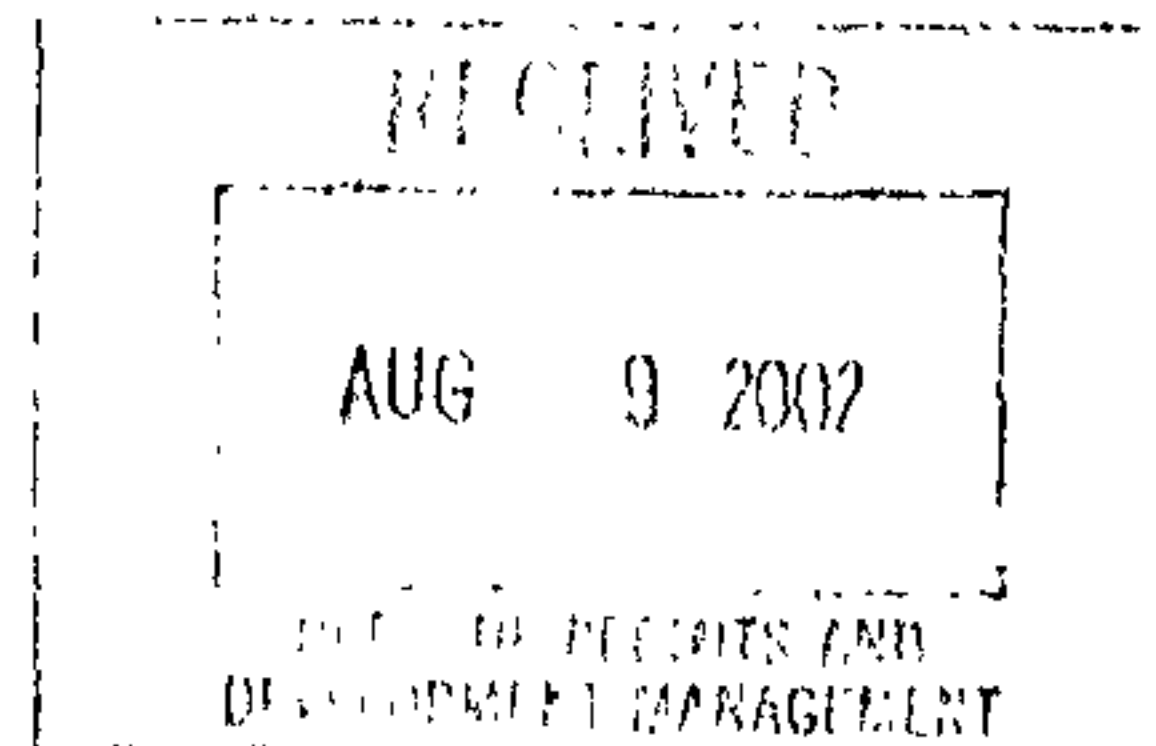
**Baltimore County
Office of Law**

400 Washington Avenue
Towson, Maryland 21204
410-887-4420
Fax: 410-296-0931

August 9, 2002

VIA HAND DELIVERY

Arnold Jablon, Director
Department of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



**Re: In the Matter of: Ruth Messick and Virginia Kowalsky,
Owners/Parkside LLC, Contract Purchasers;
Baltimore County Office of Planning & Department of
Recreation and Parks – Petitioners
Case No. 02-483-SPH**

Dear Mr. Jablon:

On behalf of Baltimore County, Arnold F. "Pat" Keller, III, Director, Baltimore County Office of Planning and John F. Weber, III, Director, Baltimore County Department of Recreation and Parks, please note an appeal of the decision of the Zoning Commissioner dated August 1, 2002, in the above-entitled case. Kindly forward a copy of the official file in this matter to the County Board of Appeals.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John E. Beverungen".
John E. Beverungen
Deputy County Attorney

c: Arnold F. "Pat" Keller, III, Director, Office of Planning
John F. Weber, III, Director, Department of Recreation and Parks
G. Scott Barhight, Esq., Whiteford Taylor & Preston
210 W. Pennsylvania Avenue, Towson, Md. 21204
Ray Giudice, 525 E. Seminary Avenue, Towson, Md. 21286
Doug Eshelman, 5635 Vantage Point Road, Columbia, Md. 21044
D. S. Thaler & Alan Scoll, D.S. Thaler & Associates, Inc.
7115 Ambassador Road, Baltimore, Md. 21244
People's Counsel
Board of Appeals

Come visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

DATE: March 28, 2003

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: James H. Thompson

FROM: Theresa R. Shelton *TAS*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILE**

The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file (w/exhibits, if applicable) that is attached herewith.

CASE NUMBER

REF # 01-3641
02-174-XA

NAME

FAS, LLC
Wylie Funeral Home PA
9142 and 9204 Liberty Road

c: Arnold Jablon, Director / PDM

Attachment: SUBJECT FILE(S) ATTACHED (2 files)

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

G. SCOTT BARHIGHT
DIRECT NUMBER
410 832-2050
gbarhight@wtplaw.com

JUL 17 2002

July 17, 2002

DELIVERY BY HAND DELIVERY

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

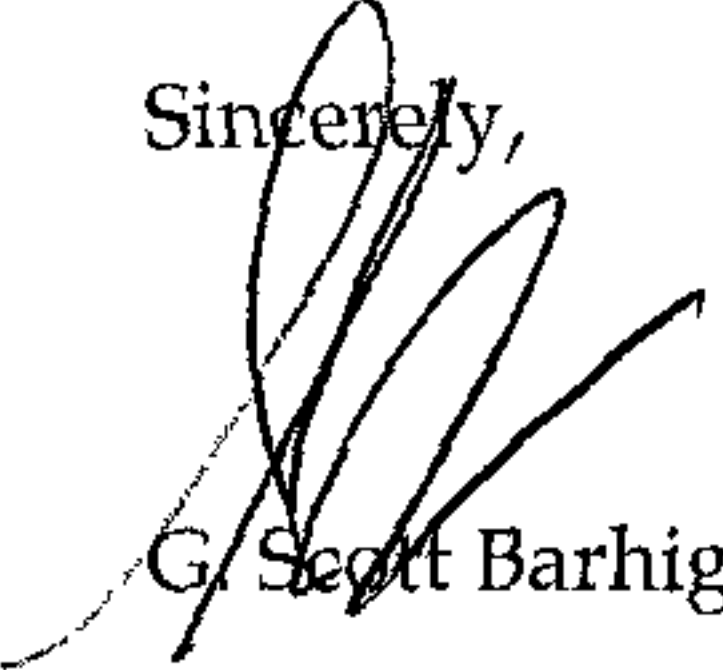
**Re: Parkside - Petition for Special Hearing
Case No. 02-483-SPH
Certificate of Good Standing**

Dear Mr. Schmidt:

Enclosed is a copy of the Certificate of Good Standing available through the internet system from the State Department of Assessments and Taxation for Parkside, LLC. This Certificate was obtained through the internet on July 16, 2002.

Should you have any questions or comments regarding this Certificate, please feel free to contact me. Please place this Certificate in the record of this proceeding.

Sincerely,


G. Scott Barhight

GSB:sll

Enclosure

cc: John Edward Beverungen, Esquire (w/encl)
Joseph Nolan, Esquire
Parkside, LLC

SDAT Certificate of Status System

Page 1 of 1



**State Department of Assessments and Taxation
Certificate of Status System**

Certificate Type

Entity Name: PARKSIDE, LLC

Department ID: W06409031

Your Progress:

Department ID

Certificate

Type

Items Ordered

Ordering

Information

Payment

Order

Confirmation

State of

Incorporation: MD

Status:

This entity is in Good Standing .

JUL 17 2002

Links:[Help](#)[Acrobat Reader](#)[Test](#)[Verify Certificate](#)[Find a](#)[Department ID #](#)[SDAT Home](#)**Internet Certificate**

A certificate of status will be shown on your screen. You can then print this certificate on your printer or save it to a disk. You will need to have the Adobe Acrobat Reader installed on your computer to view or print the certificate. Some elements of the certificate are in blue, so a color printer set to high resolution will produce the best results. The cost is \$15, and you can print as many copies as you want at no additional cost.

☒ Internet Certificate**Mailed Certificate**

A certificate of status printed by the Department will be mailed to an address that you provide. The certificate will be mailed from Baltimore, Maryland, on the first business day after you order the certificate. The cost of the first copy is \$15, and the cost for each additional copy we mail to you is \$6.

☐ Mailed Certificate**Continue**

BEFORE THE BALTIMORE COUNTY BOARD OF APPEALS

IN THE MATTER OF:
PETITION FOR SPECIAL HEARING

9201 REXIS AVENUE
E/S Honeygo Boulevard
2500' SW of Joppa Road

Baltimore County, Maryland, Petitioner
Parkside, LLC, Respondent / Protestant

Case No: 02-483-SPH

ENTRY OF APPEARANCE OF PARKSIDE, LLC, PROTESTANT / RESPONDENT

Please enter the appearance of G. Scott Barhight, Dino C. La Fiandra, and Whiteford, Taylor & Preston, L.L.P. as counsel for Parkside, LLC, in the above-referenced matter. Parkside, LLC was the Protestant / Respondent before the Zoning Commissioner / Hearing Officer below, and intends to participate in the proceedings before the Board of Appeals.

The Board of Appeals and all parties should copy G. Scott Barhight and Dino C. La Fiandra on all correspondence or documentation filed in the case.



G. Scott Barhight
Dino C. La Fiandra
Whiteford, Taylor & Preston L.L.P.
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
(410) 832-2000

Attorneys for Parkside, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of September, 2002, a copy of the foregoing Entry of Appearance was mailed first class, postage prepaid to:

John Beverungen, Esquire
Baltimore County Law Office
400 Washington Avenue, 2nd Floor
Towson, Maryland 21204

Peter M. Zimmerman, Esquire
Baltimore County People's Counsel
400 Washington Avenue, Rm 47
Towson, Maryland 21204


G. Scott Barhight

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

DINO C. LA FIANDRA
DIRECT NUMBER
410 832-2084
DLafiandra@wtplaw.com

**WHITEFORD, TAYLOR & PRESTON
L.L.P.**

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

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FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

September 11, 2002

RECEIVED

SEP 12 2002

**BALTIMORE COUNTY
BOARD OF APPEALS**

Ms. Kathleen C. Bianco
County Board of Appeals of Baltimore County
Room 49, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

**Re: In the Matter of: Petition for Special Hearing
9201 Rexis Avenue
Baltimore County, Maryland, Petitioner
Parkside, LLC, Respondent/Protestant**

Dear Ms. Bianco:

Please file the enclosed Entry of Appearance of G. Scott Barhight, Dino C. La Fiandra and Whiteford, Taylor & Preston, L.L.P. as counsel for Parkside, LLC, in the above-referenced matter.

I have enclosed an additional copy of the Entry of Appearance. Please return a stamped copy to me in the enclosed self-addressed envelope.

Thank you for your attention to this matter. If you have any questions, please feel free to call me.

Sincerely,

Dino C. La Fiandra

Dino C. La Fiandra

DCL:nd
Enclosure
262004

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
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FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

*5/24/02
George
OK*

May 23, 2002

Via Hand Delivery

Mr. Arnold Jablon, Director
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

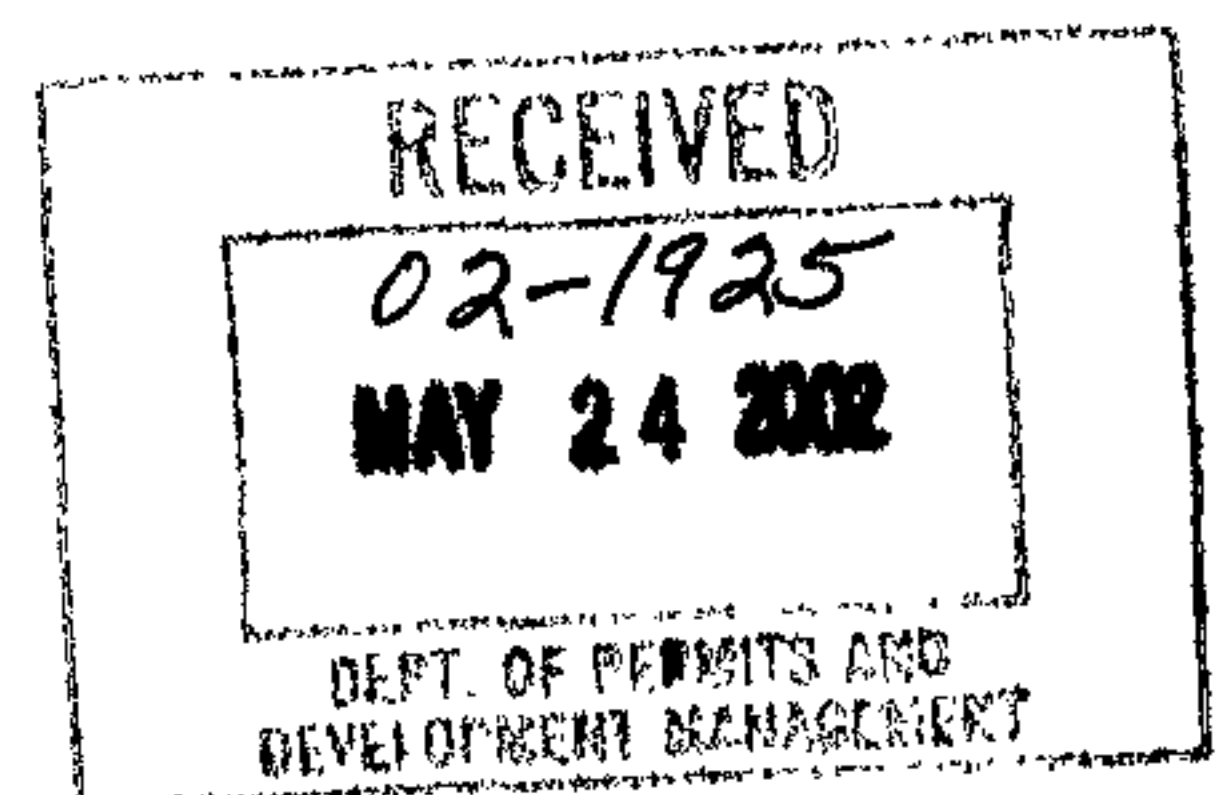
Re: Case No. 02-483-SPH

Dear Mr. Jablon:

This office represents Parkside, LLC, the contract purchaser and developer of property at issue in the above-referenced matter. The Petition for Special Hearing was filed by the Office of Planning.

My client and I have recently become aware of the Petition. The hearing date has apparently been set for June 13, 2002 at 11 a.m. I must respectfully request that the hearing be rescheduled on account of a scheduling conflict. I am to appear at the Board of Appeals at 2 p.m. on the same day in the appeal of the Hearing Officer's denial of the development plan in Oak Tree Hill Estates, PDM XIII-189. I have enclosed a copy of the scheduling notice dated May 10, 2002 in that case. Given the close scheduling of these two matters on the same day, I would not be able to attend both hearings.

Furthermore, I believe the above-referenced matter will require one full day of hearing time. We intend to firmly defend against the County's action; we will present at least one expert witness and offer legal argument. Accordingly, I would request that you reschedule the matter for the first full day available for the Zoning Commissioner or his deputy to hold this hearing. As is the county, we are anxious to have this matter resolved promptly.



Mr. Arnold Jablon, Director
May 23, 2002
Page 2

Thank you for your consideration and assistance. Should you have any questions, please contact me.

Sincerely,



G. Scott Barhight

Enclosure

C: John Beverungen, Esquire

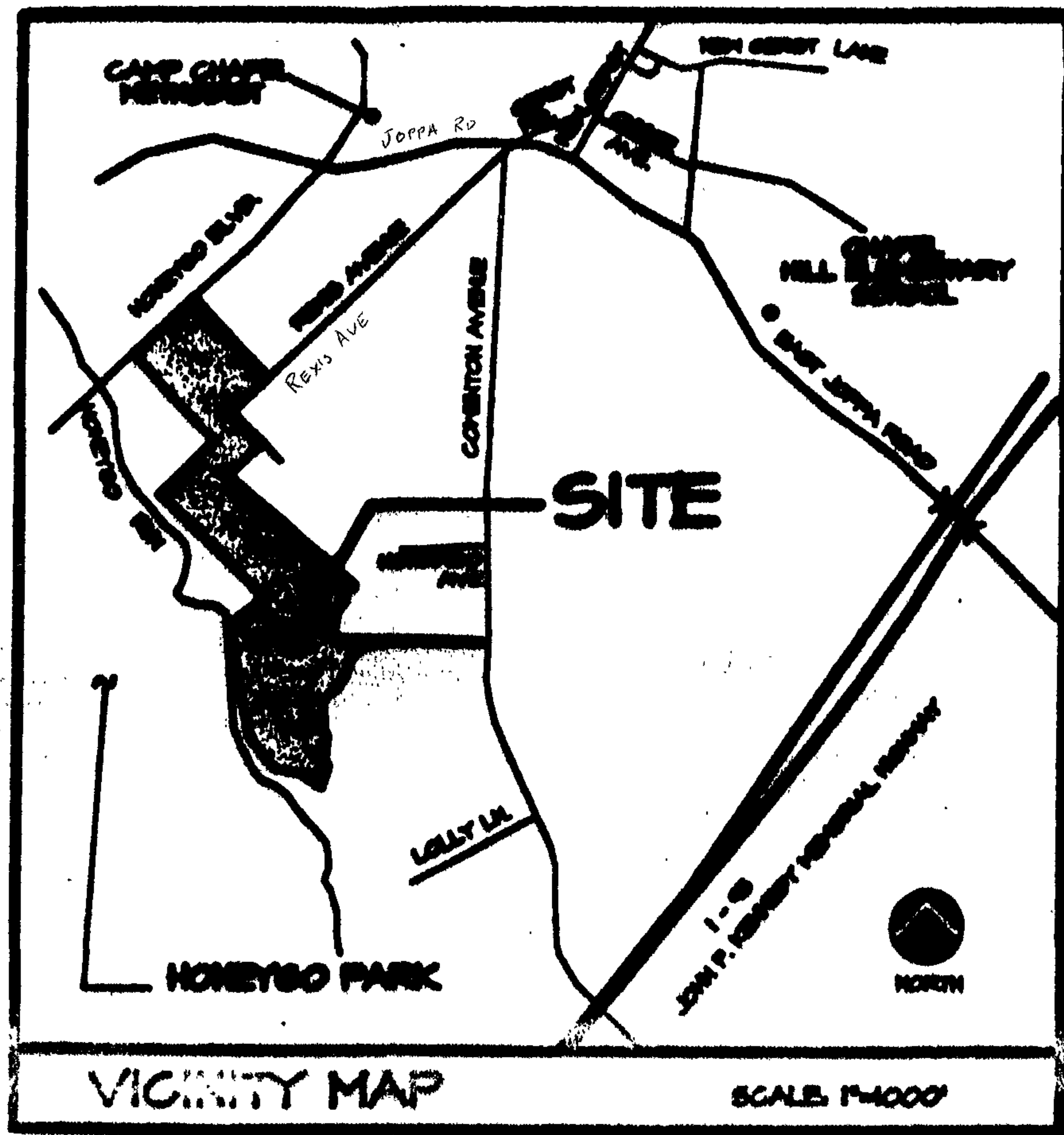
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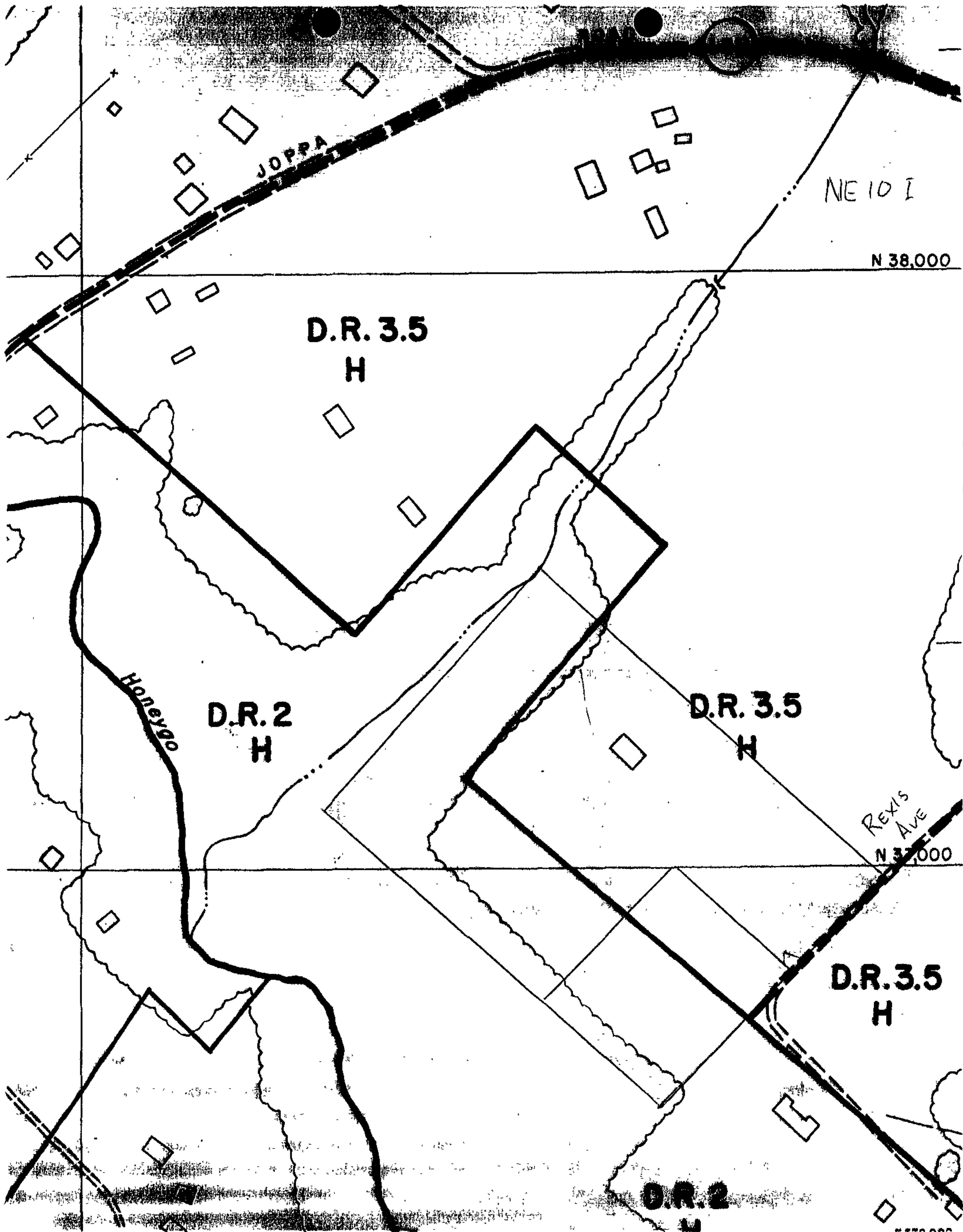
Case Number 02-423-SPH

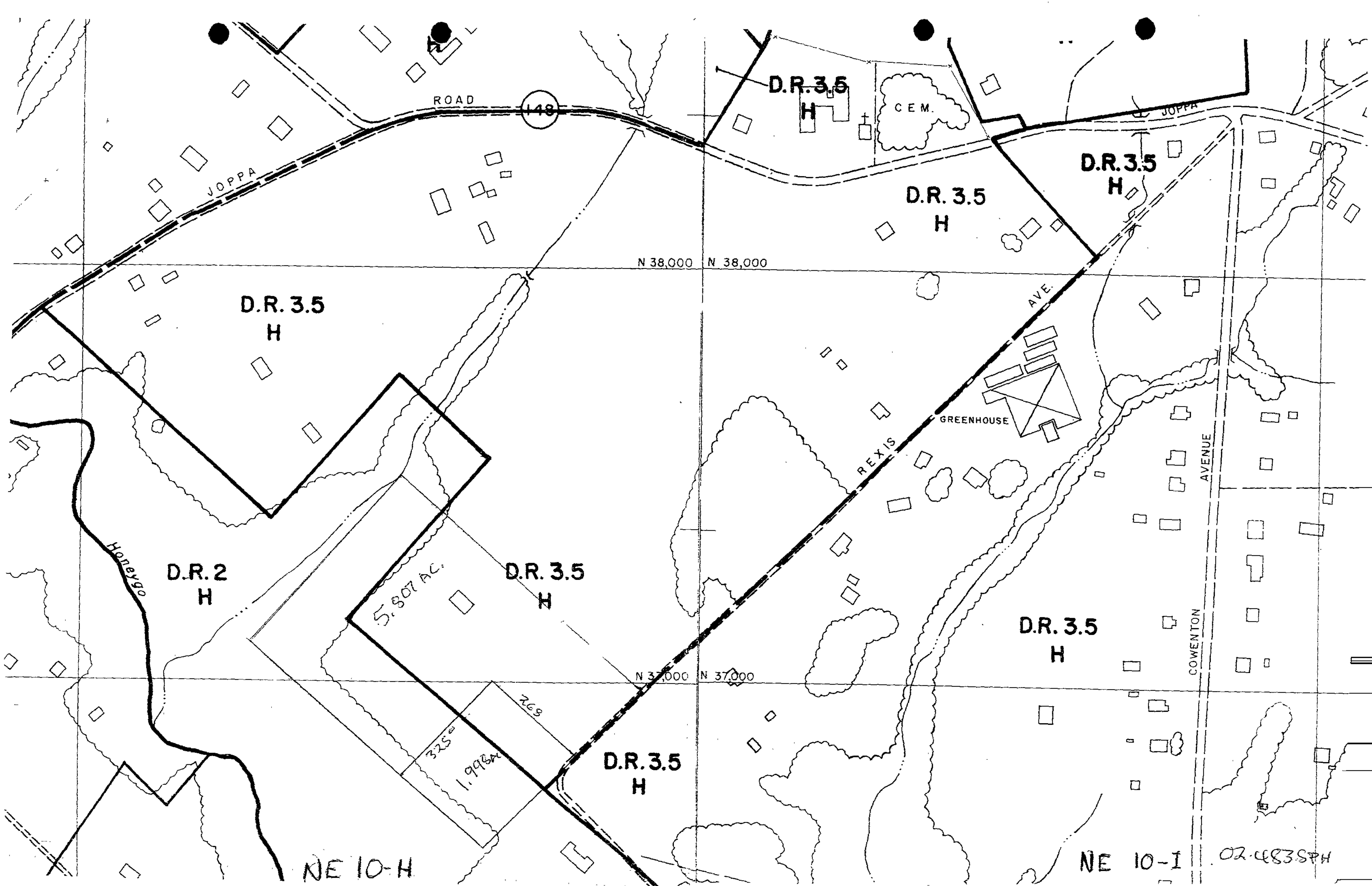
PLEASE PRINT LEGIBLY.

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
G. Scott Bright	210 W. Penn Ave	Towson, MD	21204
Alan Scott	7115 Ambassador Rd.	Balto. Md	21244
Ray Giudice	545 E. SEMINARY	Towson MD	21206
Doug Eshelman	5635 Vantage Point Rd	Columbia MD	21044
DST HALER	BOX 47428 BALTIMORE #	MD	21244-7428
County			
Weber			
Bendler			
McDonnell			
Rep. by Nolan + Beverungen			







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5.807 AC.

D.R. 3.5
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D.R. 3.5
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GREENHOUSE

REXIS

AVE.

AVENUE

COWENTON

Honeygo

325°

1.99 AC.

268

N 37,000 N 37,000

NE 10-H

NE 10-1 02-483SPH

PUBLIC HEARING

IN THE MATTER OF:

CASE NUMBER: 02-483-SPH

9102 REXIS AVENUE

2,500' SW OF JOPPA & COWENTOWN AVENUE NW OF REGIS AVENUE

* * * * *

Excerpt testimony from the above-entitled
matter which came on for hearing before the Zoning
Commissioner of Baltimore County at the County Courts
Building, Room 407, 401 Bosley Avenue, Towson, Maryland
21204, at 9 a.m., June 21, 2002.

* * * * *

APPEARANCES:

LAWRENCE SCHMIDT, Esquire
ZONING COMMISSIONER

APPEARANCES:

JOHN E. BEVERUNGEN, Esquire
JAMES J. NOLAN, JR., Esquire
On behalf of Baltimore County

G. SCOTT BARHIGHT, Esquire
On behalf of Developer

Reported by:

C.E. Peatt

P R O C E E D I N G S

* * * * *

ZONING COMMISSIONER: With all that being said,

Mr. Beverungen, do you want to call your first witness?

MR. BEVERUNGEN: Sure. Mr. McDougall.

ZONING COMMISSIONER: Mr. McDougall, if you could come up here, sir.

P A T R I C K M c D O U G A L L,

having been called as a witness, was duly sworn and testified as follows:

ZONING COMMISSIONER: Sir, you can be seated here if you're comfortable, and your name and business address for us, please.

THE WITNESS: My name is Patrick McDougall. I act as the Department of Recreation and Parks Planner. My work address is Department of Recreation and Parks, 301 Washington Avenue, Towson.

ZONING COMMISSIONER: Spell your last name.

THE WITNESS: Sure. It's M-c-D-o-u-g-a-l-l.

ZONING COMMISSIONER: Mr. Beverungen.

DIRECT EXAMINATION.

BY MR BEVERUNGEN:

Q. Mr. McDougall, you indicated you are with the Department of Recreation and Parks. How long have you been so employed?

A. Just over fourteen years.

Q. You have indicated you are a planner?

A. Yes, that's correct.

Q. Describe what that means, what your job is.

A. A variety of planning functions having to do with formulation of the department's land preservation and recreation plan, assisting the county in the development of the County Master Plan, participating in community plans that are headed by the Office of Planning.

Also within my duties are coordination of the county's Program Open Space related efforts as far as obtaining funding for a Program Open Space.

Q. What is Program Open Space?

A. Program Open Space is a Maryland State program administered through the Department of Natural Resources which provides annual funding for parkland acquisition and development.

Q. Let's turn to the matter that we're here about today which is concerning the White Marsh/Honeygo growth area, is that correct?

A. That's correct. Also Perry Hall/White Marsh growth area.

Q. What don't you begin by telling us how you first got involved in this particular topic, or matter?

A. Well, as part of my job, I regularly participate in analysis of recreational needs within different areas of the county, including Perry Hall/White Marsh.

The county, I guess, it began probably in the Master Plan prior to 2010, identified Perry Hall/White Marsh as a general growth area. Thereafter, the Honeygo Road --

Q. What does that known -- if I stop you for a second -- tell us what that means.

A. An area where there's a lot of planned population and other growth such as commercial growth, where generally the growth is planned into an area and concentrated in that area.

Q. Is that in keeping with the state Smart Growth --

A. Yes.

Q. -- concept?

A. That's correct. It would fall in with the Smart Growth, designated growth areas to concentrate not only the resources as far as homes and whatnot, but also public services within those areas.

Q. Now, go on and tell us your initial involvement.

A. So, initially, you have Perry Hall White Marsh growth area. After that Master Plan, eventually, a specific area called the Honeygo growth area was defined which is in sort of the northeast portion of the Perry Hall White Marsh growth area, so it's sort of a sub-area of Perry Hall White Marsh.

Q. Would you have the boundaries of that? I'm not asking you to map it at this point, but what would the road boundaries be? Is it simple to say that, or is that too complicated?

A. Probably not. I could show you the growth area on this map, if you'd like.

Q. Okay. .

MR. BARHIGHT: Go ahead.

1 THE CHAIRMAN: Do you want to move that easel
2 over a little bit so everybody can see it.

3 A. Okay. This shows it pretty well, actually. It
4 starts at Belair Road and the Gunpowder Falls, and
5 continues over to I-95.

6 Q. First, if we could have you identify the map,
7 when you created it?

8 A. Certainly. This map was prepared at the time
9 2000 using Baltimore County's Geographic Information
10 Systems.

11 Q. Did you create that map, Mr. McDougall?

12 A. Yes, I did. Beginning with Belair Road and
13 Gunpowder Falls, over to I-95, down to -- there's a couple
14 smaller avenues -- cutting over just north of the Loreley
15 Community Center, south along Philadelphia road, to west
16 along Cowentown Avenue, and then south again along 95, and
17 Northwest along the Honeygo Run, northeast along Snyder
18 Avenue, northwest along Joppa Road to Belair Road, and
19 then northeast to the point of origin.

20 Q. Okay. I'm glad I didn't ask you to do all that
21 from memory. Is that designated in the Master Plan 2010,

1 the area that you have just described?

2 A. Yes, it is.

3 Q. And gone over on the map?

4 A. Yes.

5 Q. And what's it called when it's in the Master
6 Plan?

7 A. I believe it's recognized as the Honeygo growth
8 area.

9 Q. Would it be fair to say then that's a discrete
10 section of the Master Plan that's treated separately from
11 other areas of the county?

12 A. Yes, I would.

13 Q. Why do they do that in the Master Plan process?
14 If you know.

15 A. I think the primary reason for Honeygo, as was
16 with other growth areas, the Owings Mills growth area, is
17 that this particular area is or was recently generally
18 rural in nature and designated for concentrated growth
19 which would reflect or cause a large change in the land
20 use of the area.

21 So because of those reasons, whereas much of

1 Perry Hall/White Marsh remainder of the area is already
2 developed, this area was not yet developed, so it was
3 highlighted within the Master Plan.

4 Q. Okay. Now, getting back to, if we can, to -- I
5 guess, unless the Commissioner has any objection, wherever
6 you're comfortable standing --

7 ZONING COMMISSIONER: Yes. If you want to stand
8 or come back.

9 THE WITNESS: I can stand here, especially if
10 we're going to be talking about uses on the map.

11 Q. What did you do, again concerning this parcel,
12 and why don't we have you tell us, put this in an
13 approximate time frame, if you can, indicating a time and
14 the actions you took.

15 A. I believe -- okay. There was a separate document
16 called the Honeygo growth area plan, or similar name to
17 that, that was created, I believe, in the mid-nineties.

18 Q. 1994, maybe?

19 A. That sounds approximately correct.

20 Q. Okay.

21 A. Prior to the creation of that plan, I prepared an

1 analysis of the general area that showed what we had as
2 far as parkland use within this area, estimating the
3 specific need for the Honeygo growth area.

4 Q. When do you do that?

5 A. That would have been prior to the creation of the
6 plan, so probably around 1994.

7 Q. Okay.

8 A. At that time, we didn't get into specifics as far
9 as saying it should be this, you know, that we should
10 acquire X property or Y property.

11 Instead, it's just the general analysis of the
12 overall parkland acreage needed based on what we had there
13 currently and then what we needed, based on population,
14 and that is based on a state standard or acreage goal set
15 by the State Department of Planning and the Department of
16 Natural Resources, which is thirty acres of parkland per
17 thousand citizens.

18 Q. Okay. And that comes from the state?

19 A. That's correct. So at that time, I did an
20 analysis on the area which was forwarded to the Office of
21 Planning for inclusion in the Honeygo growth area plan.

1 Q. Of 1994?

2 A. Yes. From that, they came up with -- the Office
3 of Planning, I would imagine, came up with some minimum
4 standards as far as what needed to be acquired in the
5 Honeygo growth area.

6 And those standards were truly below what we
7 needed to acquire to meet the thirty acre per thousand
8 goal, but they wanted to set some minimum standards as far
9 as acquiring open space because it was identified as an
10 adequate public facility for the Honeygo growth area.

11 So there were certain things as far as
12 development being tied to adequate public facilities being
13 available. If you didn't have those facilities, then
14 certain development permits could not shall be issued.
15 All right. So that goes back to, I guess, the
16 mid-nineties.

17 Q. Right.

18 A. More recently, we started to concentrate on
19 different pieces of parkland within the areas as far as
20 properties that we identified as key parcels to acquire.

21 Q. Okay. How did that go? What are you referring

1 to?

2 A. Well, what we did is, we went and identified a
3 minimum of threshold as far as the size of the property,
4 and we worked with the Office of Planning to do so, and we
5 identified a number of properties throughout the Honeygo
6 growth area.

7 Q. Can you identify of those on the map?

8 A. Eventually, many of them came to fruition as --
9 what we really highlighted on at that time was larger
10 properties that are developable for parkland that are
11 capable of housing and active recreational facilities.

12 Q. Okay.

13 A. And among those that were identified and
14 eventually acquired were what's referred to through here
15 as the Crossroad Park, the Ragonese property --

16 Q. Excuse me. Whose property?

17 A. Ragonese. R-a-g-o-n-e-s-e.

18 Q. Okay.

19 A. The Forge View park site, which was the Jacob
20 Inn. That's J-a-c-o-b.

21 Q. Right.

1 A. And Butt -- B-u-t-t -- properties. Four
2 different parcels. Down here is the Cowentown Avenue Park
3 which was the the Delpizzo property. That's
4 D-e-l-p-i-z-z-o. The parcel right here which is the
5 Schwartz property -- that's S-c-h-w-a-r-t-z -- and the
6 Ewers property -- E-w-e-r-s -- which was an existing part
7 of Honeygo Park.

8 Q. If I could stop you at that point, you've
9 identified four or five parcels. When those parcels were
10 acquired, roughly specking.

11 A. Generally between 1997 and 2000 for those five
12 particular parcels.

13 Q. Go on.

14 A. One of those parcels was the Schwartz property,
15 located right here at Joppa Road and also along Raxis
16 Avenue, has frontage on both roads. After we acquired
17 that, and that was mid-2000, I believe it was around June
18 or July of 2000.

19 Q. Okay.

20 A. We acquired that property.

21 Q. Talking about the Schwartz property?

1 A. Yes, the Schwartz property. So that was acquired
2 in mid-June. Later that year while doing site
3 inspections, we were looking at these different properties
4 in preparation for the concept plan -- I'm sorry -- in
5 preparation for the community meetings that the department
6 holds to discuss what's to be developed at sites and to
7 get the community's input on different park sites.

8 In November of 2000, several people, not
9 including myself, from our agency -- that would include
10 our director John Weber -- actually toured this site, the
11 Schwartz property, and at that time identified the
12 adjacent property which is here labeled the Rimiris
13 property, and there's one also labaled Spiers property --
14 S-p-i-e-r-s -- which was my mistake because I initially
15 misidentified Kowalsky as Spiers. It's mapped correctly,
16 but I had gotten the wrong tax record and listed it as the
17 wrong property.

18 So the county at that time or the department
19 identified this property as a key piece of park for
20 possible park acquitision, a key acquisition, primarily
21 for a couple of different reasons.

1 First of all, it provides a land bridge between
2 existing Honeygo park and the Schwartz property acquired
3 in mid 2000.

4 And then the second reason was that the nature of
5 the property, it's conducive for recreational development,
6 so we saw that, this property, were it to go and construct
7 the Schwartz property, that we could also incorporate the
8 Rimaris/Mesig/Kowalsky property as part of the overall
9 development.

10 So as a matter of fact, we saw that as pretty
11 much an addition, or potential addition through the
12 Schwartz property.

13 Q. You saw the Messic/Kowalsky property?

14 A. That's correct.

15 Q. You're referring to this about November 2000?

16 A. Yes, late November 2000.

17 Q. What happened after that?

18 A. After that, in order to, I guess, secure our
19 interest in that, what we didis we contacted the Bureau
20 of Land Acquisition and stated that we had an interest in
21 that property and asked them to proceed on our behalf to

1 contact the property owner.

2 Another thing that we did, which is within my
3 duties, I mentioned Program Open Space earlier, we sent
4 what is called a Letter of Concurrence Request.

5 Within the Program of Open Space process, when
6 you first identify a project or potential project for
7 which you may seek Program Open Space funding, you request
8 a Letter of Concurrence from both the Department of
9 Natural resources and the County Office of Planning. We
10 submitted a request --

11 Q. I'm sorry. What was that called?

12 A. A Letter of Concurrence.

13 Q. What does that mean?

14 A. That tells -- that explains to them the property
15 that we plan on -- I'm sorry -- the project that we plan
16 on pursuing. We describe the project within a fax sheet
17 and then we ask for their concurrence that what we are are
18 proposing is within standard -- what's the word I'm
19 looking for here? That what we're proposing is within the
20 goals and objectives of Department's land preservation
21 plan, and the state goals and objectives as far as Smart

1 Growth, and other planning initiatives to make sure we are
2 using sound planning.

3 So we requested that concurrence again in
4 December 2000, and that was -- all of the concurrence
5 letters were received back from both the state and the
6 County Office of Planning by March 2001.

7 What that also does is that then enables us to
8 receive funding reimbursement from Program Open Space for
9 any cost incurred related to that property or project
10 after the date of the Letter of Concurrence request, so
11 the state sends back a letter to us saying that they
12 concur with the project, and that allows us to go and
13 pursue funding reimbursement for any costs we have related
14 to that project thereafter.

15 Q. If I could indicate, just like to show you an
16 exhibit, see if you can identify the exhibit?

17 A. Okay.

18 ZONING COMMISSIONER: Mr. Beverungen, why don't
19 we, since he's referred to the map, too --

20 MR. BEVERUNGEN: If we can mark that for
21 identification, too --

1 ZONING COMMISSIONER: Mr. Barhight, do you have
2 any objection to the map?

3 MR. BARHIGHT: I have no objection whatsoever to
4 the map.

5 ZONING COMMISSIONER: All right. Why don't we
6 mark --

7 MR. BEVERUNGE: Start with two? Did you already
8 have an exhibit?

9 ZONING COMMISSIONER: No.

10 MR. BEVERUNGEN: I thought I heard you
11 identify --

12 ZONING COMMISSIONER: One exhibit was Mr.
13 Barhight's exhibit which was the development plan
14 checklist.

15 MR. BEVERUNGEN: So should that be two?

16 THE CHAIRMAN: I'll mark the map, we can mark
17 that as County Exhibit No. 1 --

18 MR. BEVERUNGEN: Very well.

19 ZONING COMMISSIONER: -- which is a memo from Mr.
20 Keller to Mr. Weber, of March 21, 2001, is Exhibit 2. Any
21 objection to this?

1 MR. BARHIGHT: None.
 2 A. This is the second --
 3 Q. If I could stop you for a second, what are you
 4 referring to?
 5 A. This is a letter -- two letters, actually -- both
 6 to John Weber. One is from Pat Keller, the director of
 7 planning, and the --
 8 Q. I just want you to refer to the first page.
 9 A. Okay. The first page is a letter from Pat
 10 Keller, from the director of the Office of Planning, to
 11 John Weber, granting concurrence for specially in this
 12 case the Kowalsky property.
 13 Q. Can you just read, briefly, what the memorandum
 14 says?
 15 A. It's worded, A review by this office finds this
 16 acquisition to be consistent with the Honego community
 17 plan and the Master Plan 2010. It also meets the
 18 objectives of the Smart Growth policies of the state.
 19 The office of Planning concurs with this request
 20 for acquisition funding. Should you have any questions or
 21 any additional assistance, please contact Albert Svehla at

1 Shirley Murphy, Chief of Bureau of Land Acquisition, a
 2 gentleman representing -- I don't know whether it was
 3 Kowaksly or Messic -- was in attendance. Their attorney
 4 Mr. Donnelly -- I'm not sure of the exact spelling of
 5 that, unfortunately -- Pat Donnelly was his name.
 6 At that time in that meeting, Mr. Donnelly
 7 stated --
 8 MR. BARHIGHT: Objection.
 9 MR. BEVERUNGEN: Your Honor, we are not going to
 10 be offering this as proof of the truth of it. We are
 11 going to be offering it for the effect on the hearing and
 12 the state of mind in these negotiations.
 13 Mr. Donnelly said you can have the property for
 14 X. We're not offering that as the truth. We are offering
 15 that as a legally significant independent fact of the
 16 county going forward with the acquisition.
 17 MR. BARHIGHT: We'll stipulate that the county
 18 wants to acquire this property. If the county can have a
 19 state of mind.. I am willing to stipulat to it.
 20 ZONING COMMISSIONER: Okay.
 21 MR. BEVERUNGEN: Your Honor, it's relevant to the

1 extension 3211, and it's signed Arnold Pat Keller.
 2 Q. Okay. And is that what you referred to earlier
 3 as the Letter of Concurrence?
 4 A. Yes, it is.
 5 MR. BEVERUNGEN: And that was Exhibit 2 we were
 6 referring to?
 7 ZONING COMMISSIONER: Yes.
 8 Q. What happened after the Letters of Concurrence
 9 from the state and the Planning Office that we just spoke
 10 of?
 11 A. Actually, in between the time we requested and
 12 received concurrence, we proceeded with the Bureau of land
 13 Acquisition to proceed with our attempts to acquire the
 14 property.
 15 Q. Okay. What did that consist of?
 16 A. Well, the first thing that I remember that
 17 consisting of would be a meeting at the Bureau of Land
 18 Acquisition, and I would estimate -- I don't have the
 19 exact date, but I estimate that was early 2000, maybe
 20 early 2001, probably around February or March.
 21 And at that meeting, which was attended by

1 question here and it will take a second.
 2 ZONING COMMISSIONER: All right. I'll overrule
 3 the objection.
 4 Q. Go ahead, please.
 5 A. Mr. Donnelly stated that there had been feelers
 6 from the development community to the owner as far as
 7 acquisition of the property, but that the owner's state of
 8 mind at that time was that they preferred to sell to the
 9 county, and that they would like to have a quick
 10 resolution to the acquisition.
 11 Thereafter, Ms. Murphy proceeded to order
 12 appraisals for the property, which is the first step that
 13 we need to take in going to acquire -- seeking to acquire
 14 property.
 15 Q. After that meeting, what took place next, in your
 16 involvement?
 17 A. Well, the appraisals were ordered in, I believe,
 18 March of 2001, and they were received back in May 2001.
 19 And that's a key within the Program Open Space
 20 process, because the appraisal set the amount for which
 21 the county is eligible for reimbursement. It's the

1 average of the two appraisals of the property. So at that
2 time --

3 Q. Well, we don't actually need the figures.

4 A. Right. Land Acquisition would have gone forward
5 with negotiations with the owner as far as acquisition of
6 the property.

7 Q. Okay. And that's relevant -- I'm sorry -- the
8 state will reimburse us based on those appraisals?

9 A. That's correct.

10 Q. Okay. Then what happened next?

11 A. That was the last of my involvement, I believe,
12 in July of 2001. There was a meeting which I was not
13 involved that involved, I believe, Mr. Giudice, someone
14 from the Bureau of Land Acquisition, and other members of
15 our agency, including John Weber. Again, I wasn't in that
16 meeting.

17 Q. Okay. Then we won't talk about that, but if we
18 could step back for a second now that you've given on
19 overview of your involvement, maybe you want to return to
20 your seat at this point. Do you have the Master Plan with
21 you?

1 A. I don't have the county Master Plan, but I do
2 have the county's Land Preservation and Recreation Plan
3 and I have appropriate references.

4 MR. BEVERUNGEN: I'd like you to have a copy of
5 it to refer to. Would you like a copy?

6 ZONING COMMISSIONER: Yeah. I don't have a keep
7 here, so, yeah.

8 MR. BEVERUNGEN: In fact, I would mark as Exhibit
9 3, the 2010 Master Plan as County's Exhibit. 3.

10 MR. BARHIGHT: No objection.

11 ZONING COMMISSIONER: Let me just make the record
12 clear about something.

13 Mr. McDougall, the property that I am considering
14 today -- just so it's clear -- that entire property was
15 the subject of your testimony thus far, is that correct?

16 THE WITNESS: That's correct.

17 ZONING COMMISSIONER: So the entire parcel that's
18 under consideration today -- the reason I ask is because
19 the letter says Kowaksky property acquisition, it doesn't
20 say Messic property -- but is it your testimony that the
21 property at issue today, that acreage, was subject of the

1 county's interest as identified, as I understand it, in
2 November of 2000, initially?

3 THE WITNESS: Yes, sir.

4 ZONING COMMISSIONER: And the subject of these
5 Letters of Concurrence that were answered in March of
6 2001?

7 THE WITNESS: That's correct, and that consists
8 of the Messic -- we know it as the Messic/Kowalsky/Ramerez
9 property.

10 ZONING COMMISSIONER: It's all the same thing?

11 THE WITNESS: Yes.

12 ZONING COMMISSIONER: Just so the record is
13 clear.

14 Q. I'd like to refer your attention to Exhibit 3.
15 Could you tell us what that is?

16 A. That would be the Master Plan, the first
17 statement within the Master Plan.

18 Q. Okay. Would you refer us to a page on which this
19 voluminous document discusses the area of the county?

20 A. The first would be page 112. 112 is a little
21 less specific as far as site, but --

1 Q. Actually, if I could stop you for a second --

2 A. Sure.

3 Q. -- tell us what the Master Plan is. I understand
4 it's a map you can look at, but tell us also what is
5 contained within the Master Plan.

6 A. I would characterize the Master Plan as a
7 comprehensive plan. However, it's a general guide as far
8 as identifying county policy.

9 In our case within Recreation and Parks, we get
10 into different policy statements, but we rarely get into
11 specifying down to a "T" exactly what land we wish to
12 acquire.

13 It's a more general document that doesn't get
14 into every specific -- every detailed specific as far as
15 as all of our goals and objectives, but it does give a
16 general statement of what our goals and objectives would
17 be.

18 Q. Okay. So can you tell me why the Master Plan
19 wouldn't say at page 112 -- or any of the other pages
20 we'll review here -- the county shall acquire the
21 Mesig/Kawalsky property?

1 MR. BARHIGHT: Objection. This man cannot and
2 should not be allowed to speak for the Baltimore County
3 Council. This document was adopted by the Baltimore
4 County Council.

5 The intention behind the words can only be
6 gleaned from reading the words. The Baltimore County
7 Council may or may not agree, if they listen to this
8 testimony, to what he said, and even that would be
9 irrelevant, because the Council members couldn't even get
10 up here and say, Here's why we don't put specific
11 properties in here.

12 This document is a legal document adopted by the
13 Baltimore County Council, and he should not be able to
14 testify about why something is not in there or why
15 something is in there.

16 He's not the County Council. And even they
17 couldn't tell you that.

18 ZONING COMMISSIONER: Mr. Beverungen?

19 MR. BEVERUNGEN: Mr. Schmidt, he identified
20 himself as having fourteen years experience and input into
21 the planning process. If you'd like, I can go back and

1 way, it ended up being exactly page 112. Here's why I did
2 page 112.

3 That's fine, if he wants to say why he did
4 something that he did. But he should not be allowed to
5 testify about what he thinks the County Council was
6 thinking when they did what they did.

7 ZONING COMMISSIONER: Mr. Beverungen?

8 MR. BEVERUNGEN: I'm not asking him to tell us
9 what the County Council was thinking. This is not
10 legislation.

11 Now, granted, this is adopted by resolution.
12 This is a product of the Planning Office. To not allow a
13 planner to say why you don't put certain things in a
14 Master Plan or why documents have the flavor they have is
15 crazy.

16 This is a document done by the Planning Office.
17 They're the experts. The Council adopted by resolution.
18 It's not legislation. He's not interpreting legislation.
19 He's interpreting a 300-page -- he's giving background
20 information about a 300-page document.

21 ZONING COMMISSIONER: Well, let me say this. Mr.

1 lay a more stronger foundation, that he's had involvement
2 in the preparation of this, and knows the reason for the
3 statements that are in there.

4 The Master Plan, under Section 523 of the
5 Charter, is created by the Office of Planning. The
6 Council adopts it, that's correct, but the brains behind
7 the operation and the work underground is done at the
8 level of planning, and this witness has already testified
9 that he is the planning arm of Rec and Parks. I certainly
10 think he's competent to express that.

11 If this is in the nature of an expert opinion,
12 I'd move to qualify him as an expert in Master Plan
13 preparation and interpretation.

14 MR. BARHIGHT: Very briefly, I have no objection
15 to this witness or any witness who's participating in the
16 process indicating what they did and why they did what
17 they did.

18 He's trying to testify about why the County
19 Council did what the County Council did. If he has a part
20 in the process and he submitted a memo, I have no
21 objection to him saying, I submitted this memo. By the

1 Barhight, I will sustain the objection to the extent that
2 I agree that he can't say what the County Council's intent
3 in adopting this document was.

4 Mr. Beverungen, I think he should testify it was
5 his intent as the planner in preparing this. We don't
6 know what the County Council's intent, even though it's
7 not technically legislation, it was adopted by act or by
8 resolution of the County Council.

9 Let me also just say I think this is generally --
10 and I don't want to cut you off -- but generally I know
11 what the Master Plan is. There have been case law on what
12 the Master Plan is.

13 It's a general guide for development as defined
14 in, I think, the Charter. It's defined and cases have
15 said what it is.

16 I understand and wouldn't expect it specifically
17 will say in here that the Kowalsky/Messic property is
18 going to be identified by the department, it's going to be
19 acquired by the Department of Recreation and parks,
20 although maybe it does say that in other areas, maybe I am
21 incorrect. But in any event, it goes to the legal

1 argument --

2 MR. BEVERUNGEN: Okay. And I know you are, and
3 I'm not trying to, obviously, insult the Commissioner.

4 ZONING COMMISSIONER: No, Not at all.

5 MR. BEVERUNGEN: All I'm trying to do is
6 establish that, yeah, in fact, the last point you made, is
7 the Master plan does not anywhere say go get this, go get
8 that.

9 And I agree, you should not say what the Council
10 says, and I'll be brief and we'll speed it along on this
11 point, and I am also mindful that maybe we need a break
12 now.

13 ZONING COMMISSIONER: Well, is this a good part
14 of his examination --

15 MR. BEVERUNGEN: Sure. I think it's fine. I
16 mean, I don't anticipate him taking all that much longer,
17 but it's going to be a little bit longer, and we are at a
18 discrete topic now where he's moving into the Master Plan.

19 ZONING COMMISSIONER: Okay. Why don't we stand
20 adjourned, and let's go off the record.

21 (Discussin held off the record.)

1 ZONING COMMISSIONER: Back on the record. I've
2 talk to counsel, and what we are going to do is take a
3 recess until 12:30.

4 The attorneys are hopefully going to use that
5 time to talk to each other and to see if they can
6 stipulate as to certain facts.

7 They also indicated to me that they would like
8 to, as I understand it, submit a written memorandum. So
9 what my anticipation is, we'll reconvene at 12:30 and they
10 will tell me what the facts are they have agreed to.

11 If they don't agree, then I'll hear from whatever
12 witnesses need to be called, because I'm not sure there's
13 a lot of factual dispute as to this issue.

14 It's mainly an interpretation of various
15 arguments on the Master Plan. We'll finish the hearing
16 it sounds like today, and I'll set a time when they'll
17 both submit memorandums, and instead of reply memorandum,
18 I'll just give you two weeks, or whatever you need, to
19 submit a memorandum, and my order will be issued on that
20 basis.

21 That seems to be the most expeditious way without

1 prejudicing anyone's case. All right? Okay. We'll stand
2 adjourned until 12:30 and I'll see you then. Please use
3 the time fruitfully, and we'll see what we can do.

4 MR. BARHIGHT: Thank you, also.

5 (A recess was taken.)

6 * * * * *

7 ZONING COMMISSIONER: Back on the record. All
8 right. I know we stopped in the middle of Mr.
9 McDougall's testimony, so do you want to continue from
10 there, Mr. Beverungen?

11 MR. BEVERUNGEN: Yes.

12 ZONING COMMISSIONER: Okay.

13 P A T R I C K M c D O U G A L L,
14 resumed the stand, and testified further as follows.

15 CONTINUED DIRECT EXAMINATION

16 BY MR. BEVERUNGEN:

17 Q. Mr. McDougall, we are back on the record here.
18 Maybe I could reorient you. We were having you discuss
19 the Master Plan 2010, I believe, and if you didn't recall
20 the last question, maybe I will have you just go back and
21 explain again the different level of detail on the Master

1 Plan, or what components comprise the Master Plan, if you
2 will, briefly.

3 A. The Master Plan is more of, again, more of a
4 general document that will identify general department
5 policies, goals, objectives and whatnot.

6 It will not get into specific details as to
7 exactly what tuipe of property to acquire, the name of the
8 property to acquire.

9 And the reason we do not do that, is we have long
10 had concerns that if we identify specific properties, that
11 it could lead to land speculation and thus affect the
12 overall price of the property in the long run.

13 Q. Now, I believe we had turned to page 112 of the
14 2010 Master Plan, is that correct?

15 A. That is correct.

16 Q. What, if anything, is significant on that page
17 concerning this?

18 A. The most significant statement on that page is
19 under the issue of parkland acreage needed. And it is No.
20 6 within that section.

21 Q. What does that mean, Actions, at the top of page

1 112 of which you're now alluding to No. 6?

2 A. Within the section of the Master Plan, we
3 identify policies, goals -- policies and goals of the
4 department and of the county as far as, in this case,
5 Recreation and Parks, type of activities and functions.

6 Q. Okay.

7 A. The actions are general recommendations as to
8 what you can do to meet specific goals and objectives.

9 Q. Okay. And you're referring to No. 6?

10 A. That's correct. Under Parkland Acreage. And
11 that reads, Explore all appropriate avenues for acquiring
12 key parklands including use of the county's power of
13 condemnation.

14 The timely purchase of important prospective park
15 sites must be facilitated to avoid acquisition cost
16 increases that occur when properties are purchased or
17 planned for development.

18 Q. Why do you find that to be significant?

19 A. Because what that does is it protects us as far
20 as when we identify key pieces of land that we feel would
21 fit well into the park system.

1 in the first place, is that we saw it is suitable for
2 recreational development, highly suitable.

3 Q. Is there another section of the Master Plan that
4 you think is particularly relevant in today's dispute?

5 A. Yes, there is, and that would be Master Plan page
6 190.

7 Q. Okay. What does that provide?

8 A. That is a special section dedicated to the Perry
9 Hall/White Marsh growth area. It specifically deals with
10 that area of the county, and it's a little more specific
11 than just the general goals as far as regular parkland
12 needs.

13 It deals with more issues than just recreation
14 and parks. It deals with a number of planning issues
15 within the growth area itself.

16 Q. Okay.

17 A. And, specifically, there's an issue under there
18 that is entitled, Providing Parks and Recreation
19 Facilities for the Perry Hall/White Marsh Growth Area.

20 Q. Okay.

21 A. Okay. And then it follows with several actions.

1 What it does, it gives us a stake in pursuing
2 that land. So that it shows the importance of the
3 parkland, that we feel that if a piece of land is
4 important, that we have the power to go and use whatever
5 means are necessary to go and acquire the land.

6 Q. Now, there is something there in, say, more
7 decorative or a setoff text at the left-hand margin of
8 112. What does that provide?

9 A. Just to let you know, I'm reading from a page
10 that comes from the Land Preservation and Recreation Plan,
11 which excerpts part of the Master Plan.

12 Q. Okay.

13 A. And it's the same thing.

14 Q. Okay.

15 A. It says, The county Open Space Program will focus
16 on securing open parcels of land suitable for active
17 recreational use.

18 Q. That's kind of what you're talking about here
19 now?

20 A. Yes. And it also alludes to what I mentioned
21 earlier as to one of the reasons we selected the property

1 Q. Okay.

2 A. And the one I call your attention to is Action
3 Number Three, which reads, Acquired additional park sites
4 in the Perry Hall/White Marsh area including sites needed
5 as a requirement of the Honeygo Growth Area Plan.

6 Q. Okay. Why is that relevant to today's
7 proceeding, in your opinion?

8 A. Generally because of the location of the property
9 within the overall growth area and, again, this alludes to
10 the plan which I discussed a little bit earlier, the
11 Honeygo Growth Area Plan.

12 And, to me, it's a strong statement because it
13 says including sites needed as a requirement of the
14 Honeygo Growth Area Plan.

15 It does not limit us to only those sites listed
16 in the Honeygo Growth Area Plan. When we provided this
17 text for the Master Plan, we wanted to make sure that
18 there was an understanding that more land than just what
19 was specified in the Honeygo Growth Area Plan, which was
20 was a previous document, an earlier document --

21 Q. Six years earlier?

1 A. Right. Is, indeed, needed.

2 Q. Off to the left of those actions, again, is some
3 text, without characterizing it, is highlighted or a
4 different print.

5 Would you discuss what, if any, relevance you
6 think that has to these proceedings?

7 A. Sure. Let me reach that. It says, The
8 deficiency of park and recreation facilities in the
9 Honeygo growth area is greater than that of most other
10 areas of the county.

11 Again, that goes back to analysis that we do
12 regularly as far as parkland acreage needs for all the
13 different areas of the county.

14 Generally we do those on a rec council basis, so
15 the county has forty-three individual geographic rec
16 councils plus a couple special lead councils such as the
17 Oregon Ridge Nature Center Council, whatnot.

18 The two councils that this area deals with in the
19 Honeygo growth area are the Perry Hall Recreation and
20 Parks Council and the White Marsh Recreation and Parks
21 Council.

1 And I, again, would characterize, especially at
2 this time, that those needs were very strong, and one of
3 the strongest needs within the county as far as having the
4 lowest level of parkland service at that time.

5 And that was all the more pressing, or considered
6 a very pressing acreage need, because of the fact that we
7 know that growth was planned for that area and that
8 population would continue to expand and thus our parkland
9 acreage goal would continue to expand.

10 Q. Do you know if at any time you actually got down
11 to the mathematics of this and determined just how
12 deficient the area we are talking about is, or was?

13 A. Yes. Probably the best place to go back to would
14 be the county's Land Preservation and Recreation Plan.

15 Q. What is that?

16 A. Okay. Sorry. What was the question again?

17 Q. You referred to a county recreation plan. What
18 is that?

19 A. The Land Preservation and Rec Plan is, again, a
20 document that is part of the County Master Plan. It is
21 required by the state for all jurisdictions to create this

1 plan approximately every five years, in order to go and
2 state their overall parks and land preservation goals.

3 This particular plan was adopted by the County
4 Council on December 18, 2000. One of the important things
5 that the plan is tied to is eligibility for Program Open
6 Space funding.

7 Q. Okay.

8 A. The county needs to stay up to date with the plan
9 and submit the the plan in order to remain eligible for
10 the Program Open Space funding through the State of
11 Maryland.

12 MR. BEVERUNGEN: Before we make reference to any
13 specific details in that plan, I'm handing a copy and will
14 have marked either either for identification or as an
15 exhibit, I guess, what would be County No. 3.

16 MR. BARHIGHT: No objection to it being an
17 exhibit.

18 ZONING COMMISSIONER: It's No. 4, actually. The
19 Master Plan is 3.

20 MR. BARHIGHT: Can I assume that it probably
21 would be appropriate to just ask you take judicial notice

1 of the entire Land Preservation and Recreation Plan
2 2000-2004, so if we wish to make reference to any portion
3 of it, we can do so.

4 ZONING COMMISSIONER: That's fine. What's the
5 whole text title of the document?

6 MR. BEVERUNGEN: I believe it's called Baltimore
7 County Land Preservation and Recreation Plan 2000-20004,
8 adopted 12/18/000.

9 MR. BARHIGHT: What number is the exhibit? I'm
10 sorry.

11 ZONING COMMISSIONER: It's No. 4.

12 MR. BARHIGHT: Thank you.

13 Q. Mr. McDougall, maybe tell me, we have identified
14 now as Exhibit No. 4 which you have before you, the
15 Baltimore County Land Preservation and Recreation Plan.
16 How does that fit in with the Master Plan?

17 A. Okay. This Land Preservation and Recreation Plan
18 was somewhat unique compared to our past plans that we
19 have done within the department in that the timing of it
20 was delayed somewhat to coincide with the development or
21 preparation of the county's Master Plan 2010.

1 That was intentionally done to really give
2 additional credence to what was going into the plan and
3 make sure it was consistent with all of the other goals
4 and objectives of other agencies and of the general public
5 in the formulation of the Master Plan 2010.

6 So a good portion of this, including all of the
7 issues and actions, were actually identified during the
8 Master Plan 2010 preparation process, and then
9 incorporated into a larger overall land preservation and
10 recreation plan, which had additional requirements as far
11 as meeting the state guidelines for preparation of the
12 plan.

13 Once it is completed, it again goes through a
14 full review process of going through the Planning Board
15 and then to the Baltimore County Council, whereupon it is
16 adopted and becomes amended to the Baltimore County Master
17 Plan.

18 Q. Was there any section of that plan, I suspect,
19 that deals specifically with the land we are talking
20 about?

21 A. Not specifically the land.

1 While recent strides have been made to attain
2 such sites, largely in an effort to meet the expected
3 needs of the growth area, other sites are needed to
4 provide for the current population.

5 The concerted effort will be required to both
6 keep pace with population growth and to reduce the current
7 deficit. While much effort has gone into seeking out land
8 in the Perry Hall and White Marsh Councils, more land is
9 needed prior to urbanization eating up what remains of
10 land suitable for park acquisition and development.

11 The willingness to use the county's power of
12 condemnation must continue in cases where landowners or
13 willing sellers are holding out for larger purchase
14 price -- I'm sorry -- purchase prices that fair market
15 defines.

16 Q. Why is that relevant to what we are about here
17 today?

18 A. I think what that does is it reinforces the
19 notion that we identified in the Master Plan itself that
20 we need to, or to use any means possible to go and acquire
21 what we deem to be key parcels of land and, more

1 Q. The area?

2 A. The area, yeah. That would be more apt.

3 Q. Could you refer to that?

4 A. Yes. That would be page 60, and that is the
5 general area -- the plan is entitled, Northeast Area
6 Parkland Summary.

7 Q. Okay.

8 A. It gets into looking at the overall deficiency or
9 comparative deficiency of parkland within the northeast
10 area of the Department of Recreation and Parks. The
11 department has six different areas.

12 Q. Okay.

13 A. And of particular note, I would call to your
14 attention the last paragraph of that page which continues
15 onto the following page, and I will read it as follows.

16 The percentage of local parks, 34.7 percent, is
17 the second lowest of the areas exceeded only by the
18 northeast recreation and parks area. These types of parks
19 are particularly short in number within the northeast half
20 of the area comprising Perry Hall, White Marsh and
21 Kingsville.

1 specifically, it gets into identifying the White -- Perry
2 Hall/White Marsh area of which Honeygo growth area is a
3 portion as a key area, so it specifically defines that
4 area as an area of need.

5 Q. I guess, referring to the county's Exhibit No. 1
6 which is up on the cork board over there, the plan you
7 just read from was adopted in December of 2000?

8 A. That's correct.

9 Q. How many of the parcels that you identified
10 earlier on this December 2000 map had been acquired by the
11 time this map, or this plan -- excuse me -- was issued by
12 the County Council?

13 A. Let's see. Well, it's -- again, this is a
14 lengthy process, so the plan itself was written and
15 prepared probably by, I would guess, early 2000. Okay?
16 And then the whole review process began.

17 Some of the sites acquired in there have dates
18 here, if you'd like them. Let's see. The Schwartz
19 property was acquired in 2000, approximately June or
20 July. The Ragonese property was acquired also in 2000.
21 And then three of the other sites were acquired prior to

1 that time, that would be the Cowentown Avenue Park site,
2 Forge View Park site, and the Ewers property.

3 Q. When was the Ragonese property -- do you have a
4 date for that?

5 A. I have the year 2000. I do not have the exact
6 month.

7 Q. Was there anything else in your review of the
8 Master Plan that you felt was germane or particularly
9 relevant to our discussion and the issue here today?

10 A. Yes, there is. Going back to the Land
11 Preservation Recreation Plan, that same section that deals
12 with overall acreage needs, there's a table within the
13 plan that identifies acreage needs by council. It also
14 presents -- there's another table that presents population
15 projections by the Recreation and Parks Council, and what
16 I have done is I have done something of a summary here
17 that, using the data from the Land Preservation and
18 Recreation Plan, to describe the Perry Hall/White Marsh
19 growth area as far as what the acreage and needs are. I
20 can give you those figures, if you'd like.

21 Q. Sure. Are these figures you're about to give

1 based on the state standards you talked about earlier
2 today on thirty acres per thousand?

3 A. That's correct. Again, bearing in mind, the park
4 acreage goal is thirty acres per thousand.

5 Based on the state mandated goal of thirty acres
6 per thousand, the Perry Hall/White Marsh Rec Councils
7 combined have an estimated year 2000 parkland acreage
8 deficit of 232.3 acres.

9 Perry Hall and White Marsh Rec Council area, I
10 have estimated here, 2000 population of 45,462. That
11 population is projected to grow to 62,439, which is an
12 increase of over 37 percent by the year 2020.

13 That growth, that population growth, would result
14 in the need for approximately 510 additional acres of
15 parkland to meet the park acreage goal.

16 Now, again, as you alluded, there has since been
17 progressing towards meeting that goal. The county has
18 again put a concentrated effort into acquiring parkland
19 within that area.

20 And in doing so, between 1997 and 2001, the
21 county has completed eight parkland purchases in the Perry

1 Hall/White Marsh area which netted approximately 136 acres
2 at a cost of just under \$5,350,000.00.

3 So, in essence, that 136 acres that we have since
4 acquired would have reduced the overall deficit listed in
5 the Land Preservation Plan, but still remains a deficit of
6 approximately 95 acres based on the year 2000 population.

7 Q. At present?

8 A. That's correct. Year 2000. So that does not
9 count for, or does not take into account the further
10 population growth that is projected within the area.

11 Q. Have you had occasion to review, or have you seen
12 a concept plan dated March 1, 2002, with respect to a
13 development proposed by Parkside LLC?

14 A. No, I do not. I'm not involved in the review of
15 the plans themselves. I was made aware of the plan just,
16 I guess, to check on whether or not it was within an area
17 that we were interested.

18 MR. BEVERUNGEN: Okay. Nothing further.

19 ZONING COMMISSIONER: Mr. Barhight, any
20 cross-examination?

21 MR. BARHIGHT: Yes, please. Thank you.

1 CROSS EXAMINATION.

2 BY MR. BARHIGHT:

3 Q. Mr. McDougall, I'd like to direct your attention
4 to, I believe it's Baltimore County Exhibit No. 1, the map
5 that's on the board entitled, Honggo Growth Area Parkland
6 and Acquisitions.

7 And just out of curiosity, I start off with it's
8 my understanding the state doesn't allow you to take into
9 account the Gunpowder Falls State Park in that thirty
10 acres per thousand?

11 A. That's correct. Under state regulations, the
12 county can only count any land in excess of sixty acres
13 per thousand. I'm sorry. State or federal land in excess
14 of sixty acres per thousand towards their local park
15 acreage goal.

16 And the county -- there's nowhere near that much
17 state or federal land within the county, so we don't get
18 any credit at all.

19 Q. So you have to act like it's not there for the
20 purpose of calculations?

21 A. That's correct. Exactly.

1 Q With respect to the Exhibit No. 1, I believe you
2 have testified that the, according to the legend, the
3 Honeygo growth area is identified with a bold red line, is
4 that accurate?

5 A. Yes, that's correct.

6 Q. Have you checked -- I want just want to make
7 sure -- is that rendition of the Honeygo growth area
8 identical to the rendition of the Honeygo growth area
9 shown in the Honeygo plan?

10 A. I cannot really attest that it is the exact
11 boundary. The boundary that you see there was used or
12 borrowed from the Office of Planning.

13 So, in essence, I would only assume that it would
14 be. It would be their polygon used for our map.

15 Q. The Honeygo area is also identified in the Master
16 Plan 2010. Do you know whether the area identified here
17 on this exhibit is identical to the area identified in
18 Master Plan 2010?

19 A. I do not know if it's a 100 percent match.

20 Q. Maybe when the planning expert comes up later,
21 they can match it up for sure. This document, again

1 did Baltimore County approach the property owners of -- I
2 guess we are describing it as the Messic/Kowalsky/Ramerez
3 property -- to inquire about acquisition? You may have
4 said it.

5 A. I do not know the exact date because those
6 negotiations would have been -- would have taken place, or
7 that contact would have been made through the Bureau of
8 Land Acquisition. The Department of Recreation and Parks
9 does not contact property owners.

10 MR. NOLAN: Can I have a minute with Mr.
11 Barhight?

12 (Discussion held off record.)

13 MR. NOLAN: I was just telling Mr. Barhight Mr.
14 Rockel, Mr. Eric Rockel had been here and was willing to
15 testify, but we figured it would be redundant and really
16 not particularly germane to the proceeding or the issue in
17 front of the Hearing Officer, and he was prepared to
18 testify that a land acquisitions right-of-way agent had
19 approached the Kowalsky/Messic owners and, in fact, I
20 think it was the daughter, and had several conversations
21 with her about the county's interest in purchasing the

1 Baltimore County Exhibit No. 1, if I were to review the
2 Baltimore County Master Plan 2010, I wouldn't see this in
3 there, would I?

4 A. I'm sorry. Repeat that.

5 Q. If I were to review the Baltimore County Master
6 Plan 2010, I wouldn't see this document in there, would I?

7 A. No, you would not.

8 Q. If I reviewed the Honeygo plan, would I see that
9 document in there?

10 A. No, you would not. It postdates that plan.

11 Q. If I reviewed the Land Preservation and
12 Recreation Plan 2000-2004, would I see that document?

13 A. No, you would not.

14 Q. Probably only because I didn't take notes as
15 quickly as I needed to, I may be asking a question you've
16 already answered, and I apologize if I am being redundant.

17 I was trying to follow the history of the
18 county's involvement in contacting property owners and
19 going through Baltimore County Exhibit 2, the whole
20 process you described, and there's one thing I maybe
21 failed to write down, or didn't hear properly, was when

1 property in February of 2001. And Mr. Barhight said he
2 would be prepared to stipulate to that.

3 MR. BARHIGHT: Certainly.

4 ZONING COMMISSIONER: Okay. Land acquisition
5 contact to the Messics --

6 MR. BARHIGHT: February 2001.

7 ZONING COMMISSIONER: Right.

8 MR. BARHIGHT: Thank you. I have no other
9 questions of this witness. Thank you.

10 ZONING COMMISSIONER: Anything further of Mr.
11 McDougall?

12 MR. BEVERUNGEN: Nothing.

13 ZONING COMMISSIONER: Thank you, sir. You may
14 step down. Mr. Beverungen.

15 MR. BEVERUNGEN: We call Ms. Lanham as our next
16 witness.

17 ZONING COMMISSIONER: Good afternoon, Ms. Lanham.
18 How are you?

19 THE WITNESS: Just fine. Thank you.

20 L Y N N L A N H A M,
21 having been called as a witness, was duly sworn, and

1 testified as follows:

2 ZONING COMMISSIONER: Ms. Lanham, make yourself
3 comfortable. Once you're seated, if you could state your
4 name and place of employment for us.

5 THE WITNESS: Lynn Lanham, Office of Planning,
6 Baltimore County, here on the floor, and I'm Section Chief
7 of Development Review.

8 DIRECT EXAMINATION

9 BY MR. BEVERUNGEN:

10 Q. Good afternoon, Ms. Lanham. How long have you
11 been employed by Baltimore County?

12 A. Approximately thirteen years.

13 Q. Have you always been with the Office of Planning?

14 A. Yes.

15 Q. Your current title, you said, was chief --

16 A. Section Chief.

17 Q. What does that mean, or what do you do?

18 A. Development review. Our division reviews all --
19 pretty much all development proposals for Baltimore County
20 for the Office of Planning, so we are responsible for the
21 preparation of the office comments that go for concept

1 plans as well as zoning cases, and the Development Review
2 Committee, we sit as one of the members participating in
3 that..

4 Q. Try to keep your voice up.

5 A. Okay.

6 Q. Let's focus our attention from your duties to
7 what took place regarding this case.

8 When did you first become involved with a
9 development plan or concept plan for the Parkside
10 development for the Perry Hall/White Marsh area?

11 A. This particular concept, the one we have before
12 us today?

13 Q. Well, yes.

14 A. In March of 2000.

15 Q. You were involved, I take it by that answer, in
16 the earlier one that was a PUD, and you were present when
17 we said --

18 A. correct.

19 Q. -- we were kind of going to leave that out of
20 today's proceedings?

21 A. Correct.

1 Q. Then let's direct our attention to the March 1,
2 2002 concept plan. You had involvement, or your office
3 had involvement in reviewing that document?

4 A. Correct.

5 Q. Tell me about that.

6 A. The concept plan is submitted to our office. We
7 have approximately two weeks to review the project and
8 submit concept plan. Concept plan comments are signed by
9 the project planner who's here, Ann Roan, and myself. We
10 attended -- Ann attended the concept plan conference. As
11 far as following a sequence, we submitted comments that
12 day, I believe it was March the 18th.

13 Initially, we normally try to coordinate with
14 Recreation and Parks as far as our comments are concerned,
15 but before we attended the meeting, there was some
16 confusion because I had been out quite a bit around that
17 time, out of the office, and we did not initially, on the
18 comments, recognize a Master Plan conflict.

19 We issued amended comments on March 21 where we
20 raised this as a Master Plan conflict.

21 MR. BARHIGHT: No objection.

1 Q. This would be the amended concept plan comment.
2 You also have a copy?

3 A. Yes, I do.

4 MR. BEVERUNGEN: I guess that would be County's
5 Exhibit 5?

6 ZONING COMMISSIONER: Yes.

7 Q. Would be amended concept plan conference
8 comments, dated March 21, 2002. And you have a copy
9 before you, Ms. Lanham, of what we have identified as
10 Exhibit No. 5?

11 A. Yes, I do.

12 Q. What is that document?

13 A. This document is -- well, we submit two permits
14 to Development Management and to the developer at the
15 concept plan conference. This particular one was
16 submitted after the initial conference, so it was
17 distributed after that.

18 Q. Now, in this amended -- in these amended concept
19 plans comments that you have here, what, if anything, did
20 your department, or you, in particular, list with regard
21 to a Master Plan conflict?

1 A. On page two of those comments, under Master Plan
2 Conflict, we identified -- do you want me to read from
3 that section?

4 Q. No, I don't need -- just if you could just tell
5 us what the nature of the conflict you identified. Just
6 put in your words and tell us, if you could.

7 A. We identified a conflict based on acquisition of
8 a parcel that was included in this development, or this
9 concept plan.

10 Q. Now, the concept plan -- I don't have copies.

11 A. I have one back there.

12 MR. BEVERUNGEN: Mr. Commissioner, I guess I
13 would mark as an exhibit, I guess No. 6, the March 1, 2002
14 concept plan, project named Parkside.

15 ZONING COMMISSIONER: Okay.

16 MR. BEVERUNGEN: Now, I don't intend to go into
17 the minutia of this. I don't really need to open it and
18 waste that time if --

19 Q. Ms. Lanham, could you tell us whether you have
20 seen and reviewed a March 1, 2002 concept plan for the
21 Parkside development?

1 a Master Plan conflict, or it was your opinion there was a
2 Master Plan --

3 A. Potential Master Plan conflict, yes.

4 Q. Try to tell us, if you can, as succinctly -- I
5 apologize if you're earlier answered what's aimed in this
6 direction -- tell us in your words, if you can, why the
7 Office of Planning feels there was a Master Plan conflict
8 due to the submission of the Parkside March 1, 2002 plan?

9 A. In this specific case, we looked at the Master
10 Plan and land use. For this project, we have to kind of
11 go to three levels of review.

12 We have the overall Master Plan. Within the
13 Master Plan, there's a section -- it's actually the growth
14 area section. There's a specific section in the urban
15 county that identifies the White -- Perry Hall/White Marsh
16 growth area.

17 We also look at community plans in our review.
18 The community plan is a further refinement of the Master
19 Plan, and the community plans are adopted as part of the
20 Master Plan.

21 There was a community plan prepared for the

1 A. Yes, I have.

2 Q. And your comments in Exhibit 5 were directed at
3 this plan?

4 A. Yes.

5 ZONING COMMISSIONER: Mr. Beverungen, I'll go
6 ahead and mark that. I think it would be appropriate to
7 have it in the record. I don't believe I have it in the
8 file.

9 MR. BEVERUNGEN: That's No. 6.

10 MR. BARHIGHT: No objection. I haven't looked at
11 it, but I assume it's the right one.

12 ZONING COMMISSIONER: It's dated March 1, 2002,
13 and I see it's prepared by Mr. Thaler's firm, and I don't
14 see any revision dates on this copy, so I assume that is
15 the right concept plan. I will mark this as County
16 Exhibit No. 6.

17 Q. Ms. Lanham, what's been marked County Exhibit No.
18 6 is the March 1, 2002 concept plan for the Parkside
19 development. You did review that?

20 A. Yes.

21 Q. And in reviewing it, you testified that you noted

1 Honeygo -- it's called the Honeygo Plan -- which was
2 adopted in July of 1994. Both the Master Plan in text and
3 map, the textor has directed -- you have had testimony
4 about that -- to acquire parkland in the growth area and
5 specifically in the Honego plan section there, it's
6 identified again a deficit of parkland and for us to
7 acquire further parkland. We had in our possession in the
8 Office of Planning, that particular map.

9 Q. What map are you referring to?

10 A. That's on the board now, or a version of it.

11 Q. County Exhibit 1 prepared by Recreation and
12 Parks?

13 A. At least a version of it. I can't say that it
14 was exactly that one. But we had that map, and that
15 showed that particular park as a potential acquisition.

16 The way the Master Plan -- of course, we have
17 already gone over that, are done, there's not that level
18 of specificity. The land use is shown as we have stated
19 here as single family.

20 It really does not get to the level of discretion
21 in the Master Plan.

1 Q. What is shown as single family?

2 A. The land use map, or this area is shown as single
3 family.

4 Q. For the entire White Marsh/Perry Hall area?

5 A. No, not everything, but where this particular
6 project is located, yes.

7 Q. Okay. Go on.

8 A. Okay. As a further refinement, we have actions
9 within the Master Plan, issues and actions. One of the
10 actions is to acquire additional parkland.

11 Recreation and Parks has developed a plan with
12 the location of the parks they would like to acquire or
13 have acquired. We should have been coordinating together.

14 Q. Who should have been?

15 A. Recreation and Parks. Prior to the concept plan,
16 we usually do do that. But one of the things that often
17 happens at the concept plan conference is that you may
18 find that agencies furnish information to each other at
19 that time.

20 So if there has to be some resolution, that's
21 when things are resolved, and we can and have issued

1 amended comments in the past.

2 Q. I assume -- or correct me if I'm wrong -- but what
3 input did the director of planning, Mr. Keller, have in
4 this process?

5 A. Mr. Keller had oversight. These are office
6 comments. So we prepared -- all comments are prepared
7 from all agencies with directors' oversight.

8 Q. So is it a fair comment to say that Mr. Keller
9 concurs in the office's opinion or is in charge of the
10 office's opinion that the Parkside submission in the March
11 1, 2002 concept plan constitutes a Master Plan conflict?

12 A. Yes, it is correct. And actually what we have
13 requested is that the plan be referred to the Planning
14 Board for that final determination, but our office does
15 believe it is a Master Plan conflict.

16 MR. BEVERUNGEN: That's all I have.

17 ZONING COMMISSIONER: Mr. Barhight.

18 MR. BARHIGHT: Thank you.

19 CROSS EXAMINATION

20 BY MR. BARHIGHT:

21 Q. Let me ask a question on the very last thing you

1 said, because I'm not sure I understood.

2 A. Uh-huh.

3 Q. You said you requested that it be referred to the
4 Planning Board for final determination whether it's a
5 Master Plan conflict?

6 A. Right. The Planning Board would make that final
7 decision.

8 Q. I thought that the Hearing Officer decided
9 whether it was a Master Plan conflict?

10 A. Well, I guess -- I'm sorry. As far as the steps,
11 the Planning Board will make that determination, and give
12 that determination to the Hearing Officer, yes.

13 MR. BARHIGHT: Okay. Well, we can argue later
14 one way or the other.

15 (Discussion off record.)

16 MR. BRHIGHT: The discussion is that my copy of
17 the July 30 concept plan conference comments,
18 unfortunately, I have scrawled on and made a photocopy,
19 and if Mr. Beverungen has a clean copy, I would prefer to
20 give you a clean copy. Obviously, the county records have
21 a clean copy.

1 ZONING COMMISSIONER: I assume that's the initial
2 comments because Ms. Lanham indicated the other ones were
3 amended.

4 MR. BARHIGHT: This is from the first plan.

5 MR. BEVERUNGEN: I guess I can't locate them. I
6 do know that I have them, Mr. Commissioner. What I will
7 say is the ones we are trying to find, I guess -- and Mr.
8 Barhight has handed me a copy of his -- and they are
9 annotated, as he said, is dated July 30, 2001.

10 These are Ms. Lanham's or her office's comments
11 on the PUD, and I would object to these coming in since we
12 are not looking at the PUD. But, in any event, I can't
13 find a clean copy of these.

14 MR. BARHIGHT: We'll be happy to pull from the
15 county records a clean copy, but it has a couple
16 notations, none of which are germane to these proceedings,
17 were back when I thought we were processessing that plan.

18 But for the purposes of this proceeding, I'd like
19 to move forward with these. And if you think that any of
20 these notations are inappropriate, we can pull it out of
21 the file and make a copy.

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1 ZONING COMMISSIONER: Okay. Why don't you see
2 what the witness says, and I will rule on the objection.
3 Q. Ms. Lanham, could you please identify the
4 document which I have just landed to you as concept plan
5 conference comments dated July 30, 2001, regarding the
6 Parkside PUD memorandum from Mr. Keller to Mr. Jablon?
7 A. Yes, that's what I have in front of me.

8 Q. Are those the comments that the Office of
9 Planning made asking first concept plan conference with
10 regard to the first concept plan file which was the PUD
11 with its contracts plan attached?
12 A. Yes.

13 MR. BARHIGHT: I'd like to offer this as the
14 first exhibit, and anticipating the objection which I
15 guess has already been made, I think it's important to
16 point out to the Hearing Officer that these are records
17 obviously that Baltimore County with regard to this site,
18 and that a position was taken by the Office of Planning on
19 the issue of Master Plan and community plan compliance in
20 the memorandum dated July 30, 2001, and I believe that any
21 official decision, representation, comments, et cetera, by

1 MR. BARHIGHT: Correct. Obviously, we have a
2 question about whether this is a Master Plan conflict.
3 On July 30 of 2001, the Office of Planning took a
4 position on whether it was a Master Plan conflict, as they
5 did later, again, and I wanted to show it for credibility
6 purposes as well as to determine why here? Why not there?
7 Et cetera, et cetera.

8 ZONING COMMISSIONER: Mr. Beverungen?
9 MR. BEVERUNGEN: I guess again, just to be brief,
10 the first plan, the PUD, was a retirement home. The
11 second one is twenty single family homes. It's apples and
12 oranges.

13 These are comments on one plan. We are here
14 today talking discretely about the March 1, 2002 plan.

15 The other interesting feature about the June 26,
16 01 plan, if we got into this, is that that plan proposed
17 development on county-owned land. And Rec and park
18 officials who are here today can say, Yeah, their first
19 comment was, My God -- it's three lines long -- you can't
20 put developments on county-owned land.

21 So you know, that's the way this goes. I guess

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1 the Office of Planning with regard to the Master Plan and
2 community plan is certainly germane to this issue.

3 ZONING COMMISSIONER: Mr. Beverungen?

4 MR. BEVERUNGEN: Yes. I would renew the
5 objection to that coming in other than for identification
6 purposes on the basis that I said that I believe it was
7 your ruling we are going to leave the June 26, 2001 PUD
8 out of this, and we haven't alluded to this.

9 Now, I'm not saying these aren't genuine county
10 documents. They are. The courthouse is full of deeds and
11 other things that we can bring up here. They are all
12 genuine, too. So the objection is on relevance grounds,
13 that we are not looking at the PUD. We don't dispute
14 that.

15 ZONING COMMISSIONER: We're not looking at the
16 PUD, but I assume they're not being offered as to try to
17 prove or establishing anything about the validity of the
18 PUD, per se.

19 MR. BARHIGHT: Correct. We're not --

20 ZONING COMMISSIONER: It goes to credibility on
21 cross examination?

1 this just will then compel us to say, well, here's why the
2 arguments were truncated with respect to the June 26, 01
3 plan, because it proposed to build a retirement home on
4 county property. It was absurd. So, again, that's the
5 basis of the objection.

6 ZONING COMMISSIONER: All right. I'm going to
7 overrule the objection. I think, on cross examination, it
8 potentially has some relevance as it relates to a position
9 that the Office of Planning may have taken.

10 I'm not -- here again, I don't think that's
11 inconsistent with my prior ruling regarding the initial
12 concept plan, which I understand is a dead issue in view
13 of the change of the law.

14 But in that document, for purposes of cross
15 examination and credibility, the witness may establish or
16 may go to establish a contrary position taken by the
17 Office Of planning.

18 I think, on cross examination in an
19 administrative hearing, it's proper evidence, so I will
20 admit it as county exhibit -- I'm sorry -- Protestant's
21 No. 2.

1 MR. BARHIGHT: Thank you.

2 Q. Ms. Lanham, would you like to -- if you need to

3 go ahead and refamiliarize yourself with that comment?

4 A. On the Master Plan? Yes, I have read that.

5 Q. Or take you your time to read any portion of it

6 you think appropriate. I didn't mean to not allow you to

7 look at the entire document.

8 A. Okay. I generally am.

9 Q. Thank you. Isn't that true that in that

10 document, that the County Office of Planning did make a

11 comment with regard to Master Plan and community plan?

12 A. Yes, we did.

13 Q. Isn't it also true that in that same document

14 that the Office of Planning recommended this matter be

15 referred to the Planning Board?

16 A. Yes, we did.

17 Q. Isn't it true the reason that the County Office

18 of Planning recommended that the PUD plan be referred to

19 the Planning Board was because that was part of the PUD

20 process?

21 A. That's correct.

1 Q. Isn't it true that in this document that the

2 Office of Planning indicated that the single family

3 residential development proposed by the contracts plan,

4 which was a single family plan, is consistent with the

5 land use recommendations of the Honeygo plan and Master

6 Plan 2010 single family detached?

7 A. Let me just find the contrast, please.

8 Q. Actually, if I could direct your attention to

9 page two under the heading, Master Plan and Community

10 Plan, and I've actually basically paraphrased the second

11 sentence of that.

12 A. Yes. Okay, yes, that's correct.

13 Q. But that in reviewing the multi-family housing

14 project proposed by the PUD, you indicated that the single

15 family attached residential multi-family housing proposed

16 by the PUD was inconsistent with the recommendation of the

17 Honeygo plan?

18 A. That's correct.

19 Q. But it was a multi-family housing project?

20 A. That's correct.

21 Q. Ms. Lanham, I'm showing you a document, and

1 please excuse the notations. I'm giving Mr. Schmidt a

2 clean version which Mr. Beverungen was kind enough to

3 provide me to introduce into evidence. Can you please

4 identify the document that's entitled, Concept Plan

5 Conference, dated March 18 2002, that I have just handed

6 you?

7 A. Yes, that's what this is.

8 Q. That's from Mr. Keller to Mr. Jablon?

9 A. Yes, that is correct.

10 Q. That's with regard to the second concept plan

11 which is being identified as Parkside Resubmittal, is that

12 correct?

13 A. That's correct.

14 Q. Now, first with regard to the second page, I

15 believe at the top of the second page there's a checkoff

16 box set of options for other anticipated actions and

17 additional review items, is that correct?

18 A. Correct.

19 Q. Isn't it true that you failed to -- or excuse

20 me -- the Office of Planning failed to check off the box

21 that said referral to Planning Board, isn't that true?

1 A. That's correct, correct. That's what I've

2 already gone over. Well, one of reasons we amended, now I

3 don't know whether we checked off the box in the second

4 one, but that's one of the reasons we amended the plan, or

5 the comments, on March 21.

6 ZONING COMMISSIONER: You did check the box on

7 the amended one.

8 Q. My only question, Ms. Lanham, isn't it true that

9 you did not check it off on this document?

10 A. Correct.

11 Q. Thank you. I'd like to direct your attention to

12 the one two, three -- the fifth page of that exhibit and

13 the Master Plan and Community Plan comment.

14 Isn't it true that in that comment, you also, the

15 Office of Planning, indicated the single family

16 residential development proposed by the concept plan is

17 consistent with the land use recommendations of the

18 Honeygo Plan and Master Plan 2010 single family detached?

19 A. Yes, that's correct, that what it says.

20 Q. You further indicated in that last sentence,

21 Single family detached residential housing proposed by the

1 concept plan is consistent with the recommendations of the
2 Honeygo Plan, isn't that correct?

3 A. Correct.

4 MR. BARHIGHT: I'd like to offer this as the next
5 protestant's exhibit.

6 ZONING COMMISSONER: That would be No. 3. Mr.
7 Beverungen?

8 MR. BEVERUNGEN: No objection.

9 ZONING COMMISSIONER: Admitted.

10 Q. Ms. Lanham, I'd like to redirect your attention
11 to Baltimore County Exhibit No. 5 which is the amended
12 concept plan conference comment, dated March 21, 2002.

13 A. Okay.

14 Q. Isn't it true, direct your attention to page two
15 in the Master Plan conflicts paragraph, the very first
16 paragraph --

17 A. Uh-huh. Yes.

18 Q. -- and the fourth line down. Isn't it true that
19 the Office of Planning indicated that the Master Plan 2010
20 adopted by the Baltimore County Planning Board on
21 September 23, 1999, recommends single family detached as

1 Park/Recreation?

2 A. I'm not sure that I quite understand.

3 Q. I'll start over again.

4 A. Are you talking about properties that have not
5 been acquired?

6 Q. Well, that might be the next question.

7 A. Okay.

8 Q. If you know that. I didn't think that you might
9 know that.

10 A. Well, I don't think I know that. I wasn't sure
11 of your question.

12 Q. I wasn't asking that. I'm not asking with regard
13 to who owns it, Baltimore County acquisition. If you'd
14 like, I'd be happy to repeat the question.

15 A. It's my understanding of the Master Plan that the
16 parkland on this map is land that is owned parkland or
17 school sites, and that may be owned by Baltimore County,
18 the Board of Education, or the state. It does not show
19 acquisition sites, as far as I know.

20 Q. Let me go back to my actual question. That's
21 good information, and I appreciate it. Let me go back to

1 the land use for the property, proposed property on Map
2 29, Perry Hall/White Marsh growth area proposed land use,
3 page 192?

4 A. Yes, that's what it says.

5 Q. I'd like to direct your attention to what I
6 believe is Baltimore County Exhibit 1, if I'm recalling
7 that properly. No.

8 Baltimore County Exhibit 3. Excuse me. Master
9 Plan 2010. I direct your attention to page 192 and Map
10 29. I see you anticipated my question. Thank you for
11 anticipating that. I appreciate that.

12 Isn't it true that when you review that map, that
13 it clearly shows that the subject property is in single
14 family detached as a proposed land use?

15 A. That is correct.

16 Q. And isn't it also true that there is a legend
17 item for an area entitled, Park/Recreation?

18 A. That's correct.

19 Q. And isn't it true there are areas within Map 29,
20 the Perry Hall/White Marsh growth area proposed land use
21 map which are Master Plan proposed land use areas for

1 my actual question.

2 Isn't it true that Map 29, Perry Hall/White Marsh
3 growth area proposed land use, identifies in its legend an
4 area identified as Park/Recreation?

5 A. Yes, it does.

6 Q. Isn't it true that there are areas within Map 29
7 that do, in fact, identify certain areas as
8 Park/Recreation?

9 A. Yes, there's a legend, and they are identified on
10 the map.

11 q. Isn't it also true that the subject property is
12 not in the area marked Park/Recreation?

13 A. Correct. There is a level of discrimination at
14 this scale that is very difficult. On very small sites,
15 the land use is often very difficult to determine.

16 We do have larger scale maps. To the best of my
17 knowledge, this identifies Honego Park, and the site is
18 not -- is identified as single family detached.

19 Q. Thank you.

20 A. That is consisent with our comments.

21 Q. Thank you.

1 MR. BARHIGHT: One moment, please.
 2 (Discussion held off record.)
 3 Q. Ms. Lanham, are you also familiar with the
 4 Honeygo plan?
 5 A. Yes, I am.
 6 Q. Isn't it also true the Honeygo plan identifies
 7 the subject property's proposed land use as single family
 8 detached?
 9 A. Yes, it does.
 10 Q. Who prepared the Office of Planning comment dated
 11 March 18, 2002, which is Protestants' Exhibit No. 3?
 12 A. March 18, 2002 --
 13 ZONING COMMISSIONER: That's the original concept
 14 plan comments for this project, right, Mr. Barhight?
 15 MR. BARHIGHT: Correct.
 16 A. Those were prepared by Ann Roan and signed by
 17 Jeffrey Long, who was then section chief, I believe. I
 18 don't know the exact dates. I may have been acting
 19 section chief then, but I was probably out of the office.
 20 MR. BARHIGHT: I assume that that was Ms. Roan
 21 behind me providing some additional information. I am

1 certainly willing to stipulate to that.
 2 ZONING COMMISSIONER: Let's do it this way. The
 3 record will reflect that Ms. Roan added that she thought
 4 Ms. Lanham was acting section chief at the time, is that
 5 right?
 6 ANN ROAN: (Nodding head.)
 7 ZONING COMMISSIONER: Yes, she's nodding yes.
 8 MR. BARHIGHT: I believe she indicated she was
 9 out of town at the time of the March 18 comment. I
 10 believe I also heard her say that.
 11 ZONING COMMISSIONER: Yes. Okay.
 12 MR. BARHIGHT: We are willing to stipulate to
 13 those facts so she won't have to take the stand. She can
 14 if counsel prefers, but it doesn't matter to me.
 15 Q. Who prepared the Office of Planning comment dated
 16 March 21, 2002, the amended concept plan comment that came
 17 after the concept plan conference?
 18 A. Those were prepared by Ann Roan in conjunction --
 19 I don't know whether -- I don't have the signed copy here,
 20 but I believe I co-signed those. I don't have the
 21 official one. My copy is not signed.

1 MR. BARHIGHT: I don't have an official one. All
 2 I have is what I got at the concept plan conference.
 3 ZONING COMMISSIONER: They are signed by you, the
 4 one dated March 21.
 5 THE WITNESS: I thought that was the case,
 6 because I was back at that point.
 7 ZONING COMMISSIONER: Yes. I don't know whether
 8 you all --
 9 THE WITNESS: I prepared those in conjunction.
 10 We work together.
 11 ZONING COMMISSIONER: Let the record reflect the
 12 exhibit has the signature of Ann Roan on the one line
 13 indicated prepared by, and then Ms. Lanham's signature
 14 under the section chief.
 15 Q. Obviously, Ms. Lanham, I have to ask this
 16 question. On March 18, the Office of Planning was
 17 indicating that this matter was not a Master Plan
 18 conflict. On March 21, it was indicating that it was a
 19 potential Master Plan conflict. When did the Office of
 20 Planning change its mind?
 21 A. We actually had some conversation, or actually

1 e-mail contacts with Recreation and Parks prior to the
 2 concept plan conference, but were unable to change our
 3 comments in time for that conference.
 4 And I believe that Ann Roan, at that conference,
 5 told the applicant that we would be revising our comments
 6 and would be amending those comments.
 7 Q. So you changed your mind prior to the concept
 8 plan conference?
 9 A. Yes, we did.
 10 ZONING COMMISSIONER: What was the date of the
 11 concept plan conference, March 18?
 12 THE WITNESS: 18th, correct. They are usually in
 13 the morning, Monday morning.
 14 Q. Ms. Lanham, isn't it true that a property owner
 15 or a prospective purchaser, after reviewing all of the
 16 Baltimore County Master Plan documents, Master Plan 2010,
 17 the Honeygo plan, and the Land Preservation and Recreation
 18 Plan 2000-2004, that they would be led to believe that the
 19 proposed land use for the subject site was single family
 20 detached?
 21 MR. BEVERUNGEN: Objection. How can this witness

1 possibly say what the residents of Baltimore County would
2 be interpreting when looking at a 300-page document and a
3 map? She's testified what the legend provides. It's in
4 evidence.

5 ZONING COMMISSIONER: I'll sustain the objection
6 in the form, Mr. Barhight.

7 MR. BARHIGHT: It's all right. I think the point
8 is made. I might be done. One second.

9 Q. In your amended concept plan conference comment
10 after you changed your mind, you used the phrase, I
11 believe, "potential Master Plan conflict."

12 I hate to ask a question I don't know the answer
13 to, but I just can't help myself. You didn't say that it
14 was, in fact, a Master Plan conflict. You said it was a
15 "potential Master Plan conflict," and you signed that one?

16 A. Right.

17 Q. Why did you use the word "potential"?

18 A. I think our office always uses that word because
19 the Planning Board makes that final determination.

20 We identify a possibility and we also identify an
21 agency that is willing to acquire the site before we go to

1 And if that doesn't happen, the development
2 doesn't occur. This is one piece of it, just like sewer
3 and road. Parks are also necessarily. I,
4 unfortunately --

5 MR. BARHIGHT: At some point, I need to object.
6 She's no longer responsive to my single question.

7 THE WITNESS: Okay. I will stop.

8 ZONING COMMISSIONER: All right.

9 Q. Now, Ms. Lanham, I'm really intrigued by what we
10 learned from Mr. McDougall. I think he indicated the
11 Master Plan in its various forms, the Master Plan 2010 as
12 well as the Land Preservation and Recreation Plan,
13 indicate there's a significant need for parkland in this
14 area, isn't that correct?

15 A. Yes, that's what I heard.

16 Q. I believe he talked about hundreds of acres were
17 necessary to be acquired, and that the Master Plan directs
18 Recreation and Parks to go out and find that acreage,
19 isn't that correct?

20 A. That's correct.

21 Q. Now, with that said, within the northeast area,

1 the Planning Board.

2 In this case, the other agency had already
3 identified the site and was trying to acquire the site. I
4 think of it more as a coordination problem between our
5 office and the Office of Recreation and Parks, and it may
6 have been an oversight on my part. I did have that map in
7 my possession. I should have picked that up.

8 Q. When you say, "that map," to which map are you
9 referring?

10 A. I am talking about the plan that identifies that
11 site as a potential acquisition site.

12 Q. Baltimore County Exhibit 1?

13 A. Yes.

14 Q. The document which Mr. McDougall indicated was
15 not a part of the Master Plan?

16 A. Correct. It is not a part of the Master Plan as
17 a map. There are certainly text that directs Recreation
18 and Parks to do something in the Honeygo area, to acquire
19 sites, to find parkland. And there are, in both the
20 zoning code and in this plan, it sets it out to have
21 infrastructure in place to be tied with the development.

1 specifically the Honeygo area, and with all that
2 tremendous need for parkland, I guess I have to assume
3 that for every residential development that has occurred
4 in the Honeygo growth area, with that tremendous need for
5 parkland, that in every case, the Office of Planning has
6 suggested a potential Master Plan conflict so that, in
7 your words, the Planning Board could determine whether
8 that parkland needed to be acquired?

9 A. No, we have not.

10 MR. BARHIGHT: No other questions.

11 ZONING COMMISSIONER: Anything on redirect?

12 MR. BEVERUNGEN: No.

13 ZONING COMMISSIONER: Thank you, Ms. Lanham. You
14 may step down. Mr. Nolan?

15 MR. NOLAN: Unexpectedly, I would like to see if
16 Mr. Barhight would stipulate to something, if I could just
17 take a moment?

18 ZONING COMMISSIONER: Sure.

19 (Discussion held off record.)

20 MR. NOLAN: It is stipulated that Ms. Ann Roan,
21 who's an employee of the Office of Planning, did, in fact,

1 attend the concept meeting on March 18, 2002, and stated
2 to those in attendance, who included Mr. Scoll --
3 S-c-o-l-l -- who's seated here at counsel table with Mr.
4 Barhight, and an attorney, and I did not get her name --

5 MR. BARHIGHT: Jennifer Bussey.

6 MR. NOLAN -- that there was a potential Master
7 Plan conflict.

8 ZONING COMMISSIONER: Let me ask something about
9 this entire line of the facts. Is there some type of
10 estoppel, or some type of argument that the county
11 waived --

12 MR. BEVERUNGEN: I can nip that there. Estoppel
13 doesn't work against municipal corporations. There's a
14 slim exception in zoning cases that we're not here about.

15 ZONING COMMISSIONER: Okay. Because, with all
16 due respect to the proffer, what's the difference? What's
17 the difference whether they were told on March 18 or
18 weren't told?

19 MR. NOLAN: I needed to have something to do. My
20 witness is not here.

21 ZONING COMMISSIONER: Nothing beats honesty.

1 But, seriously, Mr. Barhight, you're not contending that
2 because, I understand, at least I believe I understand
3 from the tenor of your cross-examination, that you don't
4 believe this is a Master Plan conflict.

5 That being said, from a procedural standpoint of
6 the fact that the county -- when I say the county, the
7 Office of Planning -- authored certain concept plan
8 comments saying, allegedly, that it was not a Master Plan
9 comment conflict, the county is not now estopped or some
10 other basis for making the contention at this time, are
11 they?

12 MR. BARHIGHT: Well, I think they are allowed to
13 be hoisted on their own pitard, frankly. I think we are
14 allowed to rely to some degree on their comments.

15 I think that we're allowed to remind them of
16 their comments.

17 ZONING COMMISSIONER: You're certainly allowed to
18 remind them from the standpoint of cross-examination.

19 MR. BARHIGHT: Exactly.

20 ZONING COMMISSIONER: But you're not taking the
21 position that because the Planning Office didn't identify

1 this as a Master Plan comment in its initial concept plan
2 conference, that it cannot so be alleged and, indeed,
3 determined that at the present time, or are you?

4 MR. BARHIGHT: I will absolutely agree with what
5 you just said. It doesn't really matter what they say one
6 way or the other. What matters is what the Master Plan
7 says.

8 ZONING COMMISSIONER: Okay. But in answer to my
9 question on a more limited basis, and that is --

10 MR. BARHIGHT: I'm sorry. I couldn't help
11 myself.

12 ZONING COMMISSIONER: I understand. In other
13 words, it really doesn't -- again, whether the plan, other
14 than it's fodder for cross examination, I mean, the county
15 can make that assertion now without prejudice over the
16 fact that they didn't make it before?

17 MR. BARHIGHT: Yes. And the proper way to
18 propose it, I guess, is when were they mistaken, the first
19 time or the second time?

20 ZONING COMMISSIONER: And you believe they are
21 mistaken now, and they were right the first time?

1 MR. BARHIGHT: Correct.

2 ZONING COMMISSIONER: Okay. I just agree with
3 Mr. Beverungen in terms of the estoppel, but because of
4 the nature of that, I wanted to make sure I understand the
5 position of the parties.

6 There will be a determination. Ultimately, I
7 guess my ruling on the special hearing will make that
8 determination whether this is a Master Plan conflict or
9 not.

10 MR. NOLAN: My serious response to your question
11 is that we just wanted the record to be clear that at the
12 time of the hearing on March 18, even though the written
13 comment did not say it, it was stated to those present,
14 including representatives of the protestants here today,
15 and they knew it as of that date. That's what was being
16 contended.

17 ZONING COMMISSIONER: Okay. Fair enough.
18 Mr. Nolan, that's fine. Okay, Mr. Beverungen, Mr. Nolan,
19 who's ever next.

20 MR. BEVERUNGEN: We'd like Mr. Weber as our next
21 witness..

1 JOHN WEBER,

2 having been called as a witness, was duly sworn and
3 testified as follows:

4 ZONING COMMISSIONER: Mr. Weber, you may be
5 seated. So the court reporter can record this, your name
6 and position, please.

7 THE WITNESS: My name is John Weber, W-e-b-e-r.
8 I'm the Director of the Department of Recreation and Parks
9 for Baltimore County.

10 DIRECT EXAMINATION

11 BY MR. BEVERUNGEN:

12 Q Good afternoon, Mr. Weber. How long have you
13 been the Director of Recreation and Parks?

14 A. Since 1995.

15 Q. What you do? Broadly speaking, what do you do in
16 your job?

17 A. I oversee all operations of the department which
18 includes land acquisition, planning, capital planning, day
19 to day administration, recreation programming through
20 forty-five different community organizations, maintenance
21 and care and upkeep of our park system.

1 what direction we'll take with the final concept plan for
2 park construction.

3 Q. Now, we've had testimony that I don't want you to
4 repeat here today, but you have been present throughout
5 today's hearing, is that correct?

6 A. Correct.

7 Q. You heard the testimony that the department's
8 interest in the Messic/Kowalsky property had its genesis
9 in the fall of 2000, or November of 2000, sometime like
10 that?

11 A. Correct.

12 Q. Can you tell us how and when you become involved
13 in that effort?

14 A. There has been a major emphasis in Baltimore
15 County since 1995 to acquire additional parkland because
16 of the deficit that we have of reaching the state goal.

17 The county currently is about twenty-two acres
18 per thousand county-wide; the state goal being thirty
19 acres per thousand.

20 We have a pretty significant deficit,
21 specifically in the two growth areas of Owings Mills and

1 Q. What role do you have in evaluating or
2 considering the development of new sites for parks?

3 A. Basically, I make the final decisions on both
4 acquisition and development, with a tremendous amount of
5 community and staff input prior to that decision being
6 reached.

7 For the most part, the staff will identify
8 properties that we may have an interest in anywhere
9 throughout Baltimore County.

10 And, quite honestly, I have on more than one
11 occasion, spoken to community organizations and asked them
12 to advise us of properties that they might be aware of
13 that could come on the market, or that could be available.
14 So often we'll get calls from community residents saying
15 look into this piece of property, and staff will do an
16 evaluation of that property.

17 When it comes to the development of those park
18 sites, I conduct the majority of public hearings,
19 community input meetings, and taking the comments from the
20 community.

21 I am responsible for making the decision as to

1 Honeygo. The anticipated growth of those communities was
2 very -- left a lot of deficit in the land that would be
3 needed to meet those needs, so we concentrated our efforts
4 on land acquisition in two specific areas. One in buying
5 larger regional serving parks to serve multiple
6 communities, and, two, in acquiring properties to service
7 these two growth areas.

8 I think, as Mr. McDougall pointed out, we have
9 been successful in acquiring a number of sites in the
10 Honeygo growth area to try to start meeting that demand.

11 We've Held public hearings on all those sites.
12 We have concept plans, and we'll be looking towards trying
13 to develop those sites based upon the community input in
14 the next few years.

15 Q. Are you familiar with the February 2000 Master
16 Plan that we have called the 2010 Master Plan, as adopted
17 by the Baltimore County Council?

18 A. Yes.

19 Q. Mr. Barhight had made reference to page 192. I
20 don't know, is there a copy before you?

21 A. Yet.

1 Q. If you could turn to page 192, please.

2 ZONING COMMISSIONER: Let me ask, in mine, it
3 has -- maybe I'm color-blind -- but in mine, it has a lot
4 of area of what I would call yellow. And in the key,
5 there is really no yellow, although --

6 MR. BEVERUNGEN: It's very hard to distinguish
7 the yellow and green.

8 ZONING COMMISSIONER: It looks like a light
9 green. Maybe my eyes are just going bad on me.

10 MR. BARHIGHT: We don't think it's hard to
11 distinguish.

12 ZONING COMMISSIONER: Is this just in my copy or
13 the way it reads --

14 MS. LANHAM: It's in all the copies.

15 MR. BARHIGHT: Don't be confused, Mr. Schmidt.
16 The testimony was clear.

17 ZONING COMMISSIONER: Well, what I would call the
18 yellow on the map -- let me -- maybe we can, just to make
19 sure. What I call the yellow on the actual map is -- and
20 I probably should have asked Ms. Lanham this, maybe she
21 would have known -- but that is, I'm assuming, the light

1 green, single family detached?

2 MS. LANHAM: That's correct.

3 ZONING COMMISSIONER: Okay.

4 Q Mr. Weber, are you at page 192?

5 A. Yes.

6 Q. Do you know what that map depicts?

7 A. This depicts already existing owned land by
8 Baltimore County or others for recreational purposes.

9 Q. What -- particularly what part of that map
10 depicts that?

11 A. I believe the light green.

12 Q. So you're looking at the third -- on the key, are
13 you looking at the key in the upper left-hand corner?

14 A. Yes.

15 Q. You're looking third up?

16 A. Yes.

17 Q. Parks/Recreation?

18 A Uh-huh.

19 Q. Now, when you see that shaded area -- those
20 shaded areas on page 192 map, what does that indicate?

21 A. That indicates to us properties that are

1 existing, park spaces that exist. This is not a proposed
2 acquisition map.

3 This is an existing conditions map, to the best
4 of my knowledge.

5 Q. So the county owns or has use of the sites that
6 are already depicted in light green as park sites?

7 A. I don't think the county has use of all of them.
8 I think one of them is the Maryland Fish and Game
9 Commission. I don't think we have use of that site, but
10 it's an available site.

11 Q. So I guess the point I'm trying to make is we've
12 heard testimony regarding the comments of Recreation and
13 Parks' needs, and you have alluded to those needs.

14 Would they be reflected on this map anywhere as
15 proposed recreation and park sites on the map at page 192?

16 A. I don't believe so. I think it's an existing
17 conditions map.

18 Q. Let's turn now back to our chronology here.
19 When did your office decide it wanted to acquire the
20 Messic/Kowalsky property?

21 A. I'm not going to be able to say a specific date.

1 We looked at many sites over the past several years.

2 There's a real benefit, a real value to this particular
3 piece of property, and we identified it, and you heard the
4 dates we that went to land acquisition and began pursuit
5 of trying to acquire the property when it tied into the
6 Schwartz property, and one of the advantages always, when
7 we look at development issues, for example, development
8 next to a school site, if we are able to negotiate to get
9 open space next to the school site to make that site
10 bigger, it actually is more than the acreage identified.

11 And if I got four acres of land surrounded by
12 nothing else, it may not be nearly as valuable to the
13 community as four acres of land that's attached to a ten
14 acre site, and now you've got a fourteen or fifteen acre
15 of site to work with.

16 Q. Like an economy of scale?

17 A. Yes.

18 Q. If easier, why don't you just approach the map
19 and tell us, show us, what your giving words to?

20 A. This large green area is Honeygo Park which
21 currently under construction. We did ground breaking for

1 this park just about two or three weeks ago.

2 It will be a keystone park facility to service
3 this whole Perry Hall/White Marsh area. The Schwartz
4 property that we acquired here is separated, if you will
5 by the Ramirez/Kowalsky property.

6 The ability for the county to acquire this and
7 develop this entire area as a site makes this more
8 valuable to us than the acreage of land that it actually
9 is, because it allows -- one of the things that the
10 county's Master Plan refers to is our need for greenway
11 systems, or our need for allowing -- almost every public
12 hearing I have had, the communities are asking for walking
13 trails, pathways, and that sort of thing, specially those
14 of us that are getting older, or seniors, looking for
15 walking more often.

16 So this becomes a key piece of property to
17 connect the main Honeygo Park and the Schwartz property
18 for community use.

19 And then that's the main reason why this is such
20 an important piece for us, and it's also why we see it as
21 a Master Plan conflict, because it allows for our ability

1 A. Yes.

2 Q. At that time, at the time of the PUD, that is, he
3 said quite simply you were putting development on county
4 land, or words to those effect. would that be fair to say?

5 A. Correct.

6 Q. There come a time then that a new plan came in,
7 and that's the one we are here about today, the March 1,
8 2002 plan?

9 A. Correct.

10 Q. Have you had occasion to see that plan?

11 A. Yes.

12 Q. Did your department review the March 1, 2002
13 concept plan that we have marked, I believe, as County
14 Exhibit 6?

15 A. Correct.

16 Q. What become of that review?

17 A. At that review -- actually, prior to that plan
18 coming in, there was a meeting held with some of the
19 protestants and members of my staff and --

20 MR. BARHIGHT: Objection. Not responsive to the
21 question. I don't mind him getting to it, but it was not

1 to develop a greenway system, a walkway system, a
2 connection system between two existing park sites.

3 Q. You're saying those are encouraged in the Master
4 Plan, the greenway system and the walkway?

5 A. Correct.

6 Q. Did you become aware or did you see -- let me
7 ask, did you see a concept or PUD plan dated June 26,
8 2001, submitted by Parkside LLC?

9 A. Yes.

10 Q. Was there anything that stood out as peculiar
11 about that plan, from your agency's perspective?

12 A. What I saw was a presentation that my staff gave
13 me on the plan that appeared to us it was not a plan that
14 could move forward.

15 I did go to a Perry Hall Improvement Association
16 meeting, and the community there raised the issue that
17 that particular plan showed actual development on what was
18 already existing county parkland.

19 So our commenst at that time referred to the
20 problems that existed with the plan.

21 Q. Were those comments authored by Mr. Young Cook?

1 responsive to the question.

2 ZONING COMMISSIONER: Yes. I'll will sustain the
3 objection. Mr. Beverungen can reask the question, or
4 however you want to get to it.

5 Q. Mr. Weber, I'm directing your attention to the
6 March 1, 2002 concept plan identified as County Exhibit
7 No. 6. You reviewed that?

8 A. Correct.

9 Q. Did there come a time that your office made
10 comments on that plan?

11 A. We did.

12 Q. Who from your office would have made the comment?

13 A. Mr. Cook.

14 Q. Would you have reviewed Mr. Cook's work?

15 A. Correct.

16 Q. We will admit as, I guess, County Exhibit No. 7,
17 without objection, correspondence that I'd like you to
18 identify, Mr. Weber.

19 Q. This is the concept plan conference comments from
20 March 18, submitted by the department, under Young Cook's
21 name, and basically the comment, The Department of

1 Recreation and Parks considers this project a Master Plan
2 conflict and will defer to the Planning Board for its
3 concurrence.

4 Q. Now, did you have input to the issuance and
5 preparation of these comments?

6 A. Yes, I did.

7 Q. Tell us about that.

8 A. If I'm off base, then you will stop me, right?

9 ZONING COMMISSIONER: Absolutely.

10 A. Prior to that, I believe it was on July 3, there
11 was a meeting in my office with representatives from my
12 staff and representative from the protestants, and it may
13 not have been in my office, because I wasn't in attendance
14 at that meeting, but there was a meeting with those
15 parties.

16 My staff was asked, in fact, if there was -- if
17 we had interest in trying to negotiate something with the
18 developer on this Kowalsky/Messic property.

19 The staff indicated that we were not interested,
20 that, in fact, it was an integral part of connecting these
21 two pieces of property, and that we would not be

1 interested in selling it, or trading it off.

2 There was a request could we negotiate some way
3 to get a roadway through it. And my staff indicated that
4 we were not interested in having a roadway built through
5 the park because of the children that use the park, and
6 not wanting them to cross roadways to go from one facility
7 to another.

8 It is my understanding that the representatives
9 from the developer left that meeting, saying --

10 MR. BARHIGHT: Objection.

11 Q. Go ahead.

12 ZONING COMMISSIONER: Well --

13 MR. BEVERUNGEN: It would be, of course, an
14 admission of a party opponent, your Honor. These are
15 people from Parkside LLC. We have vicarious admissions in
16 Maryland.

17 MR. BARHIGHT: If he heard it. He wasn't there.

18 ZONING COMMISSIONER: Well, that is the problem.
19 He said he wasn't there.

20 Q. Were you at the meeting, Mr. Weber?

21 A. No, sir.

1 Q. Okay. Then don't tell me what the developer said
2 then. Continue on.

3 THE WITNESS: May I refer to correspondence from
4 my staff concerning this meeting?

5 ZONING COMMISSIONER: You can do whatever you
6 want. And then, when they object, I will rule on it. So
7 take your best shot and then see what Mr. Barhight says.

8 MR. BARHIGHT: I just ask there be a question put
9 on the table.

10 Q. The question put on the table is to again resume
11 your chronology of involvement and input into the March 18
12 comments that were just admitted as an exhibit.

13 A. The chief of my capital planning development
14 section sent me a memo that said at that meeting the
15 developer indicated that they were not interested in
16 subverting our efforts to acquire these two properties and
17 would like to meet with us in the field to see if we can
18 work out a connection between our park parcels and still
19 be able to proceed with the development plan.

20 We told them that building a roadway between the
21 Schwartz parcel and our existing Honeygo stream valley

1 park would not be acceptable to us, but we would meet in
2 the field.

3 Following that, Doug Escherman left a message on
4 Jean Tancy's voice message the following week. According
5 to my note, Jean returned the call twice, but they never
6 did make connection, and there was never a meeting set.

7 Shortly after that, we realized, in fact, prior
8 to our meeting on July 3, the revised development plan had
9 been submitted. It was not presented to us at our meeting
10 on July 3.

11 Q. Could that have been the PUD plan that was
12 submitted?

13 A. No. I believe that was -- I don't know.

14 Q. Let me ask you this question. Explain to us why
15 the acquisition of the purple highlighted property up
16 there which we're calling the Messic/Kowalsky property,
17 explain to us how that acquisition would foster the goals
18 set forth in the Master Plan, as you understand them?

19 A. It would enhance the acreage of property that's
20 available for community use in the White Marsh/Perry Hall
21 areas, and it would provide a valuable connection to two

1 parcels of land that are currently being developed, well,
2 one parcel that's currently being developed, one in
3 design, to meet those community needs.

4 It also, in fact, is graded in such a way
5 that at least a major portion of that property could be
6 utilized for community use almost immediately by mowing,
7 so it's a good site for park opportunities.

8 Q. Let me ask you, conversely, if the department
9 were not to acquire the purple shaded area that we have
10 been called the Messic/Kowalsky property, what effect
11 would that have on not achieving the goals or actions and
12 desires set forth in the 2010 Master Plan?

13 A. One of the things that I have to deal with all
14 the time is the issue of the amount of parkland that's
15 needed to meet a state standard. Okay?

16 And while you can say that this piece of property
17 won't give us 500 acres to meet our ultimate goal, if we
18 don't buy the first five acres, we'll never reach the 500
19 acres.

20 So while this is a small parcel of land, it's
21 about seven acres, it's a small parcel of land, it's still

1 are a part of the development.

2 THE CHAIRMAN: Okay. So the development plan
3 encompasses 36 acres plus or minus, and Rec and Parks is
4 interested in a seven-acre parcel?

5 MR. BARHIGHT: That's my understanding, yes.

6 ZONING COMMISSIONER: I just noticed that when
7 Mr. Weber answered. Okay. Cross-examination, Mr.
8 Barhight?

9 MR. BRHIGHT: Yes. Since it was brought up,
10 Recreation and Parks did make a comment on the second
11 concept plan, so I'll provide the Hearing officer with the
12 first comment made on the PUD plan.

13 CROSS EXAMINATION

14 BY MR. BARHIGHT:

15 Q. Mr. Weber, I handed you a document, a three-page
16 document which I believe and I only need for you to
17 confirm is the concept plan comment on the PUD and the
18 contracts plan?

19 A. That's correct.

20 MR. BARHIGHT: I'd like to introduce that as the
21 next protestant's exhibit.

1 what we have to do to is constantly chip away at trying to
2 reach the community goals and the departmental goals.

3 And, again, I would reemphasize that because of
4 its location, it makes it that much more valuable to us,
5 because it enhances the opportunity of the other two sites.

6 Q. On behalf of the Department of Recreation and
7 Parks, you being the Director of that agency, have you
8 formed an opinion as to whether the March 1, 2002 concept
9 plan constitutes a Master Plan conflict?

10 A. It is our opinion that it does. That's correct.

11 MR. BEVERUNGEN: Thank you.

12 ZONING COMMISSIONER: Mr. Barhight, before you
13 ask cross-examination, the development plan comments that
14 I have seen from the Office of Planning identifies the
15 parcel as 35.98 acres.

16 That is apparently incorrect, based on Mr.
17 Weber's recent account. Is it a seven acre parcel?

18 MR. BARHIGHT: It's quite correct. The
19 development plan encompasses an area larger than just the
20 parcel that Recreation and Parks currently indicates it
21 has a desire to purchase. There are other parcels that

1 ZONING COMMISSIONER: I believe that is Exhibit
2 No. 4. Yes. I'll go ahead and admit it. Mr. Beverungen,
3 I know you objected to the other --

4 MR. BEVERUNGEN: Yes. You know, it's the same
5 objection.

6 ZONING COMMISSIONER: Right. For the record,
7 I'll note your objection, and I'll admit it for the same
8 reasons.

9 MR. BEVERUNGEN: Thank you.

10 Q. Mr. Weber, you had a chance to look at
11 Protestant's No. 4 and refresh memory about that exhibit?

12 A. Yes.

13 Q. That exhibit was created by, signed by, Mr. Cook?

14 A. Correct.

15 Q. Did you have any input in that particular
16 exhibit?

17 A. Yes. I have input in the final comments that
18 were made.

19 Q. Is it true that nowhere in those three pages does
20 it indicate that the Department of Recreation and Parks
21 considers the project a Master Plan conflict?

1 A. That's correct.

2 Q. You mentioned that the PUD proposal was deficient
3 because it identified, quote, development on Baltimore
4 County owned land, is that correct?

5 A. Correct.

6 Q. Can you recall the nature of that development?

7 A. No, I can't.

8 Q. Could I refresh your memory by indicating that it
9 was merely the extension of a public road, there were no
10 houses whatsoever. Does that refresh your memory?

11 A. I -- Since I thought we weren't referring to that
12 plan, I didn't brief myself on that again this morning.
13 So I really can't say. If you want to pull the plan, I
14 can --

15 Q. Well, Mr. Beverungen is the one that says he's
16 not referring to the plan. I'd be happy to refer to this.
17 We have --

18 MR. BEVERUNGEN: Mr. Schmidt, again, now we're
19 talking about the details of the plan. I mean, again, the
20 plan is either here or it's not. You ruled it's not.

21 ZONING COMMISSIONER: Yeah.

1 MR. BEVERUNGEN: And now we're again getting back
2 into the plan.

3 MR. BARHIGHT: He asked a question that was
4 opening the door for cross-examination. I didn't ask the
5 question. He did.

6 What was wrong with the PUD plan? He said
7 because it showed development on Baltimore County. I
8 wanted to know what that development was.

9 They opened the door. That was all the reason I
10 was asking.

11 ZONING COMMISSIONER: Well, let me do it this
12 way. Mr. Weber, if you know, do you know the nature of,
13 sitting here right now, do you know the nature of the
14 development that was on Baltimore County land that
15 solicited Mr. Cook's comment?

16 THE WITNESS: No.

17 ZONING COMMISSIONER: Next question.

18 Q. I'd like to refer you to Map 29, page 192, of
19 Master Plan 2010, and ask you to take a look again at all
20 the areas that are identified as Park/Recreation, just in
21 the highlighted area that relates to the Perry Hall/White

1 Marsh growth area proposed land use map, to re-familiarize
2 yourself with that before I ask a couple questions.

3 A. Uh-huh.

4 Q. First, isn't it true that the title of the map is
5 not existing land use but, rather, Proposed Land Use?

6 A. Correct.

7 Q. And let me ask you, again, the areas identified
8 as Park/Recreation, to make sure I understand your
9 testimony correctly, that those areas are all areas owned
10 by Baltimore County?

11 A. Not correct.

12 Q. They include areas owned by Baltimore County?

13 A. Correct.

14 Q. And also what other areas? I'd like for you to
15 be specific, again.

16 A. I'm going to have to defer to Mr. McDougall for
17 the specific title, but I think it's the Maryland Fish and
18 Game Administration that occupies a parcel of land.

19 Q. Why would that have been shown as
20 Park/Recreation?

21 A. Because they utilize it for recreational

1 purposes.

2 Q. Any other land in that area, other than Maryland
3 Fish and Game?

4 A. Not that I'm aware of.

5 Q. Okay. Let's stay with the Maryland Fish and Game
6 parcel which is it fair to indicate that it's to the south
7 of that blob area that's green, Park/Recreation, in the
8 middle of Map 20?

9 A. That is my understanding. I don't know the
10 property, specifically, but that's my understanding.

11 Q. But let's, for purpose of my question, let's
12 assume that Maryland Fish and Game Parcel is in that large
13 middle green area of Map 29.

14 MR. McDOUGALL: If you'd like, I can show it to
15 you right on that map?

16 MR. BARHIGHT: I'd be happy to have the witness
17 do that so to not make it a hypothetical, but an actual.

18 ZONING COMMISSIONER: Carol -- what, are you
19 going to have --

20 MR. BARHIGHT: Just have Mr. McDougall point out
21 where it is on the map that --

1 ZONING COMMISSIONER: Let the record show --
 2 MR. BARHIGHT: -- shows parkland and acquisitions.
 3 MR. McDOUGALL: Right here (indicating).
 4 ZONING COMMISSIONER: -- Mr. McDougall is
 5 indicating a point on the map where the Maryland Fish and
 6 Game parcel is.
 7 MR. BARHIGHT: And that would be to the south,
 8 Mr. McDougall, of the large green space in the middle of
 9 Mapo 29?
 10 MR. McDOUGALL: That appears to me that that map
 11 incorporates that within that green area.
 12 Q. And "that area," again directing my attention
 13 back now to Mr. Weber so we can be specific, that area is
 14 not owned by Baltimore County?
 15 A. Correct.
 16 Q. It's under private ownership and control?
 17 A. Correct.
 18 Q. If the Maryland Fish and Game Association decided
 19 to develop that for residential purposes, would that be a
 20 Master Plan conflict?
 21 MR. BEVERUNGEN: Objection. Entirely

1 He said on his direct examination he thought this was a
 2 Master Plan conflict. He was inquired by direct
 3 examination about why.
 4 I'm exploring through hypotheticals, that aren't
 5 even, in fact, a hypothetical, but an actual site, why
 6 that may or may not be a Master Plan conflict, because I
 7 need to understand why this gentleman has determined that
 8 this is a Master Plan conflict.
 9 And the only way I can do that is through this
 10 hypothetical, and some others that I have, there will only
 11 be two that I can think of. It will clearly aide us in
 12 understanding why Recreation and Parks believes this is a
 13 Master Plan conflict.
 14 ZONING COMMISSIONER: Well, why do you think this
 15 is a Master Plan conflict, Mr. Weber? Not the Fish and
 16 Game, but this parcel.
 17 THE WITNESS: Specifically because we have an
 18 obligation to acquire additional parkland in the Honeygo
 19 growth area and the Perry Hall/White Marsh communities,
 20 and specifically because this particular piece of land
 21 becomes a connection between two other pieces of parkland

1 hypothetical question. It's not what we're here about
 2 today. It's an irrelevant hypothetical.
 3 ZONING COMMISSIONER: What's the relevance, Mr.
 4 Barhight?
 5 MR. BARHIGHT: Well, the relevance is we are
 6 trying to figure out why it is we have a moving target
 7 here, so I'd like to get it a little bit stapled down, if I
 8 can.
 9 MR. BEVERUNGEN: I object to the
 10 characterization. We are here on a concrete plan, whether
 11 it's a Master Plan conflict.
 12 We are not going to go around the county with
 13 hypotheticals on what may or may be.
 14 MR. BARHIGHT: Well, you may not be, but I'm
 15 going to --
 16 MR. BEVERUNGEN: And I object --
 17 MR. BARHIGHT: And I'd like for you to allow me
 18 to finish my thought. I do pause from time to time, and I
 19 apologize for that, that I wasn't quite done my thought.
 20 We're here today to try to figure out what Mr.
 21 Weber thinks of the Master Plan conflict and what is not.

1 that will be valuable in serving the communities' needs.
 2 ZONING COMMISSIONER: Okay.
 3 Q. Then I go to the question with regard to the
 4 Maryland Fish and Game Association which apparently is
 5 currently being used for recreational purposes.
 6 Isn't it true that Baltimore County would have
 7 the same obligation to acquire parkland in the event that
 8 Maryland Fish and Game proposed a development?
 9 MR. BEVERUNGEN: Again, I object for the same
 10 reasons I did before. He can explore the man's opinion
 11 that he just gave us, and that's what you do on cross
 12 examination.
 13 If he wants to attack that opinion, that's fine.
 14 We can go around the county and point to all the
 15 forty-six rec councils and say, How about these houses
 16 here bordering UMBC? Should we acquire those?
 17 We are here about something concrete. We are not
 18 here -- again, it was Mr. Barhight at the beginning of the
 19 day who said let's stay discrete, and let's keep on point.
 20 We're trying to do that. This is far afield.
 21 ZONING COMMISSIONER: Mr. Barhight, I'm going to

1 sustain the objection. I don't see how asking him about
2 another site helps me make a decision in this case. I
3 mean, I just don't see the relevance to it.

4 MR. BARHIGHT: Well, let me be heard further
5 then, if you don't mind.

6 ZONING COMMISSIONER: Go ahead.

7 I'll be brief. Obviously, whenever an expert or
8 anyone offers an opinion, one of the methods of cross
9 examination is to ask hypothetical questions to be able to
10 discern the underlying assumptions and the thought
11 processes that went into that.

12 To say to me I'm not allowed to explore his
13 thought process by using a hypothetical question puts my
14 hands behind my back, and does not allow me to be able to
15 properly understand how his tests -- he made up the tests,
16 which I don't find in the Master Plan, by the way, but
17 that's for argument later -- he's made up the tests.

18 I'm trying to understand how it applies throughout
19 Honeygo. Now, I want to ask about two sites.

20 ZONING COMMISSIONER: Well, his test is quite
21 simple, as I understand it, because he said it twice, and

1 that's why I asked him to say it again.

2 His test is, one, that additional parkland is
3 needed in Honeygo White Marsh and, two, this specific
4 property serves as a connector between two parcels which
5 have been acquired by Baltimore County.

6 So for those two reasons, he finds this is a
7 Master Plan conflict.

8 Now, I certainly don't dispute your right to take
9 issue that he's wrong with the Master Plan and that that's
10 an incorrect conclusion. That's something else I'll
11 decide.

12 But I'm still not following how asking about
13 another specific site --

14 MR. BARHIGHT: Well, let me put it this way then.

15 ZONING COMMISSIONER: -- helps get to that,
16 unless -- because I would assume -- well, let me ask this.
17 Mr. Weber, if you know, does the Maryland Fish and Game
18 site, does that similarly adjoin or connect, or does it
19 abut other county parkland?

20 THE WITNESS: Yes, it does.

21 ZONING COMMISSIONER: Okay. So it does.

1 MR. BARHIGHT: Yes.

2 ZONING COMMISSIONER: Okay. Well, then, I'll
3 give you a little bit of latitude on that, Mr. Barhight,
4 since it's a similar situation.

5 MR. BARHIGHT: Yes, it is similar. And let me
6 lay that foundation a little better. It sounds like that
7 my problem was the lack of foundation. I was trying to be
8 fast, and I probably went too fast.

9 Q. Are you familiar with the location of the
10 Maryland Fish and Game site?

11 A. I have not physically walked the property, but
12 I'm familiar with the location.

13 Q. And it does abut the Honeygo park?

14 A. Correct.

15 Q. And you've already indicated there's a
16 significant need for additional parkland in the Honeygo
17 area?

18 A. Correct.

19 Q. If Maryland State Fish and Game decided to
20 develop that parcel for single family detached residential
21 purpose, would that be a Master Plan conflict?

1 MR. BEVERUNGEN: Note the objection for the
2 record, on all the grounds.

3 ZONING COMMISSIONER: I'll allow him to answer.
4 Go ahead, Mr. Weber.

5 A. Until the time comes that I'm looking at all the
6 facts, I can't say yes or no. But I can say what we do
7 know about that property is we would be interested in
8 acquiring it for additional parkland to Honeygo Park if
9 the Fish and Game Administration made a decision they were
10 interested in selling it.

11 Q. So, in other words, somebody who owns that
12 property today and is interested in developing it for
13 residential single family detached purposes, can't tell
14 today whether it's a Master Plan conflict? That's
15 something you're going to decide later?

16 MR. BEVERUNGEN: Objection.

17 Q. Is that correct?

18 MR. BEVERUNGEN: Absolutely.

19 ZONING COMMISSIONER: Mr. Beverungen --

20 MR. BEVERUNGEN: There's absolutely no basis for
21 that question at all. Somebody is going to determine?

1 The law sets out who determines Master Plan conflict.

2 It's not Mr. Weber. It's not Mr. Keller.

3 You know that, that Mr. Commissioner. We are
4 getting now into harassing him into a legal opinion, and
5 there's a mechanism for determining this, and we're here
6 about that today. He's expressed his opinion on this one
7 issue.

8 ZONING COMMISSIONER: Mr. Barhight, I'll sustain
9 the objection as you have asked the question. I think
10 it's an improper form at the very least.

11 Q. Okay. Let's stay with the Maryland Fish and
12 Game, just to make the record clear. It's before us for
13 residential development, single family detached.

14 How would your office go about determining
15 whether that single family detached development is a
16 Master Plan conflict?

17 A. Well, we would look at all the factors that we
18 would like at on this piece of property. We would look at
19 its location, its proximity to the community, its
20 potential desire or need for the community.

21 We would also look at the deficit of parkland

1 that existed. I mean, there are many factors that would
2 go into our making a decision to pursue acquisition of a
3 piece of property.

4 Whether it were a willing seller who wanted the
5 county to acquire it, or a developer who was planning to
6 develop it. We consider slopes. We consider whether it's
7 got some environmental capabilities or potential.

8 I mean, there are numerous factors that would
9 enter into our making a recommendation that a piece of
10 property be acquired through any means.

11 Q. Does a recommendaion for acquisition equal a
12 Master Plan conflict?

13 A. No. We can make a recommendation to acquire a
14 piece of property with a willing seller, as the Schwartz
15 property was, and we proceeded. We negotiated with the
16 the property owner, and we acquired the property.

17 Q. Okay.

18 A. So we don't only acquire properties through
19 Master Plan conflicts.

20 Q. I understand. Let me be more clear about the
21 question. Thank you for your answer. In the case of a

1 proposed development, is your decision to acquire, a
2 determining factor whether or not it's a master plan
3 conflict?

4 A. My recommendation to indicate that we believe, or
5 that the Department of Recreation and Parks believes it's
6 a Master Plan conflict is the first step in the process to
7 make that determination.

8 As you know, ultimately, that goes to the
9 Planning Board. And if the Planning Board rules that, in
10 fact, they concur that there's a Master Plan conflict, we
11 then will have eighteen months to acquire the property.

12 Ultimate acquisition of the property sits in the
13 hands of the County Council in many cases because of the
14 fiancnes that are needed.

15 So I make the recommendation. I'm not empowered
16 to make the final determination.

17 Q. Who makes the final detrmination whether it's a
18 Master Plan conflict?

19 A. My understanding is the Planning Board can
20 only --

21 MR. BEVERUNGEN: Object, your Honor. This is

1 addrssed in the Baltimore County Code. We can flip to
2 twenty-six sixty-six and get the answer to this. This is
3 not a lawyer.

4 I'm sure your honor knows the anser to that
5 question. We don't need Mr. Weber to tell who determines
6 Master Plan conflict. He's the Director of Recreation and
7 Parks.

8 ZONING COMMISSIONER: I'll sustain the
9 objection. He said he makes recommendations, as he made a
10 recommendation, or his department made a recommendation in
11 this case, and I'll leave it at that. Excuse me one
12 moment.

13 MR. BARHIGHT: No other questions of this witness
14 at this time.

15 ZONING COMMISSIONER: Thank you, Mr. Weber. You
16 may step down. Mr. Beverungen?

17 MR. BEVERUNGEN: Can I have a moment of
18 indulgence, please?

19 ZONING COMMISSIONER: How about if we take a
20 five-minue break break?

21 MR. BARHIGHT: Thank you.

1 (A recess was taken.)
 2 ZONING COMMISSIONER: Mr. Beverungen?
 3 MR. BEVERUNGEN: That would be the county's case.
 4 ZONING COMMISSIONER: Okay.
 5 MR. BARHIGHT: Call Mr. Scoll to the stand.
 6 ZONING COMMISSIONER: Mr. Scoll.

7 ALAN SCOLL,
 8 having been called as a witness, was duly sworn, and
 9 testified as follows:

10 ZONING COMMISSIONER: Mr. Scoll, you can be
 11 seated. State your name and business address, please.

12 THE WITNESS: Alan Scoll, with D.S. Thaler and
 13 Associates, 7115 Ambassador Road, Baltimore, Maryland
 14 21244.

15 ZONING COMMISSIONER: Mr. Barhight.

16 DIRECT EXAMINATION

17 BY MR. BARHIGHT:

18 Q. Mr. Scoll, what is the nature of your profession?

19 A. I am a landscape architect with a
 20 multi-disciplinary civil design firm.

21 Q. Does that require any kind of state certification

1 Q. Mr. Scoll, I would like to ask a few questions.

2 What's a landscape architect?

3 A. It's a person who is licensed by the State of
 4 Maryland to practice landscape architecture.

5 Q. I guess my question is what's landscape
 6 architecture?

7 A. I think that depends largely on who you talk to,
 8 but landscape architecture is specifically a design field
 9 that is focused on the issues of land planning and land
 10 stewardship.

11 Q. I guess maybe I'm hung up on "landscaping." I'm
 12 thinking of landscaping, you go out and landscape your
 13 yard, that kind of thing?

14 A. Sure. Whenever I tell somebody I'm a landscape
 15 architect, they want to know why their grass is turning
 16 brown.

17 Q. That's sort of where I'm coming from. It's
 18 obviously more involved than that?

19 ZONING COMMISSIONER: Yes. Significantly.

20 Q. Have you ever testified as an expert before?

21 A. Yes.

1 or license?

2 A. Yes. I'm licensed by the state as a landscape
 3 architect.

4 Q. How many years have you been practicing as a
 5 landscape architect?

6 A. Well, I think about sixteen with D.S. Thaler and
 7 Associates.

8 Q. I believe that you have been offered and accepted
 9 as an expert in landscape architecture and real estate
 10 development in Baltimore County prior to these
 11 proceedings?

12 A. Yes, I have.

13 MR. BARHIGHT: I'd like to offer Mr. Scoll as an
 14 expert in landscape architecture and real estate
 15 development in Baltimore County, and offer him for voir
 16 dire.

17 Maybe I'm being too swift, but I'm trying to move
 18 this along.

19 ZONING COMMISSIONER: Mr. Beverungen? Mr. Nolan?

20 VOIR DIRE

21 BY MR. NOLAN:

1 Q. Where?

2 A. Here.

3 Q. How many times?

4 A. Oh, dozens, at least.

5 Q. Have you ever testified with respect to a Master
 6 Plan conflict?

7 A. Yes, I have. It was sometime ago.

8 Q. Was that in a proceeding in front of the hearing
 9 officer?

10 A. Yes, I believe it was.

11 Q. Which hearing officer was it, do you know?

12 A. I don't recall.

13 Q. Was it Commissioner Schmidt?

14 A. I don't recall. I'm sorry.

15 Q. What case was it, if you do recall?

16 A. It was in Glyndon, and the issue was with regard
 17 to a highway. That was part of a Master Plan highway
 18 system.

19 Q. So it had to do with whether a highway was in
 20 conflict with the Master Plan?

21 A. Yes. No. Whether the plan was in conflict with

1 the highway Master Plan.
 2 Q. But other than that, you've never testified as to
 3 a Master Plan conflict?
 4 A. Not that I recall.
 5 Q. Of course, you're employed by Mr. Thaler's firm?
 6 A. That's correct.
 7 Q. Are you a shareholder in that firm?
 8 A. No, I'm not.
 9 Q. You're an employee?
 10 A. That is correct.
 11 Q. And Mr. Thaler is involved in bringing forward
 12 this project, is he not?
 13 A. I'm not sure.
 14 Q. Meaning he has a stake in the outcome of this
 15 proceeding?
 16 A. Are you -- I'm sorry. Are you referring to a
 17 financial stake?
 18 Q. Yes, sir.
 19 A. No.
 20 Q. He has no stake, whatsoever?
 21 A. No.

1 Master Plan conflict, what has your other testimony been
 2 about?
 3 A. Zoning and development issues with regard to the
 4 plans that we present.
 5 Q. You would agree a Master Plan is one of three
 6 aspects of the whole process of -- excuse me for a
 7 second --
 8 MR. BRHIGHT: It might be very helpful to Mr.
 9 Nolan if I indicated to him that I'm not going to ask Mr.
 10 Scoll the following question, Is this a Master Plan
 11 conflict?
 12 MR. NOLAN: That certainly surprises me.
 13 Q. But let me ask you, can you tell me what the
 14 three integral parts of adequate land planning are?
 15 A. Where are you getting that from?
 16 Q. I'm getting it from a case decided by the
 17 Maryland Court of Appeals.
 18 A. No. Off the top of my head, I can't recite that
 19 particular passage.
 20 Q. Can you, at least based upon your expertise as a
 21 landscape architect, tell us what the three integral parts

1 Q. Does he have any ownership interest in Parkside
 2 LLC?
 3 A. Not that I'm aware of.
 4 Q. When were you first approached about being an
 5 expert in this case?
 6 A. Well, I guess probably something over a year ago.
 7 Q. To testify in this proceeding?
 8 A. I think it was, as part of our agreeing to work
 9 on this project, it was assumed that I would be testifying
 10 ultimately with regard to the development.
 11 Q. As to a Master Plan conflict?
 12 A. I don't think a year ago, anybody thought there
 13 was a Master Plan conflict.
 14 Q. When was the first time you heard about a Master
 15 Plan conflict?
 16 MR. BARHIGHT: Objection. I think that's outside
 17 the scope of voir dire, his expertise. We're now into
 18 cross-examination.
 19 ZONING COMMISSIONER: Mr. Nolan, you're probably
 20 getting there, at least. I'll sustain that objection.
 21 Q. Well, then, if you only testified once about a

1 of adequate land planning are?
 2 A. As it would be addressed in that case, no, I
 3 can't.
 4 Q. Just generally, from your knowledge?
 5 A. Can you define "adequate" for me, please?
 6 Q. That is a fair comment. I'll just say that the
 7 case states it's a Master Plan, it's zoning, and it's
 8 subdivision regulations. Would you agree with that?
 9 A. For good planning? I'll accept it.
 10 Q. What exactly is your opinion going to be about
 11 today?
 12 MR. BARHIGHT: Objection.
 13 ZONING COMMISSIONER: I guess until he's asked
 14 the question --
 15 MR. NOLAN: I don't know what to ask. I thought
 16 he was going to testify that there's a conflict.
 17 ZONING COMMISSIONER: Well, maybe we can cut
 18 through this a little bit. You're not going to ask if
 19 there's a Master Plan conflict?
 20 MR. BARHIGHT: I said that once, and I meant it.
 21 ZONING COMMISSIONER: Okay. Let me say this.

1 I'll accept, just because of my familiarity, Mr. Scoll has
2 testified in dozens of cases before me. I have accepted
3 him as an expert in those cases.

4 More to the point, and I know, because I suffered
5 from the same misconception when I first heard the phrase
6 "landscape architect," that I wanted to retain Mr. Scoll
7 to come out and cut my grass.

8 But I have actually since learned the discipline
9 is quite difficult to achieve, as I understand it, and I
10 say this with a great amount of respect. Some have told
11 me that it's actually a more difficult discipline and more
12 difficult certification than being a professional engineer
13 in the state.

14 In any event, Section 26.203.11 of the Code talks
15 about the subdivision plans or the development plans need
16 to be signed and sealed by any one of the following
17 professional disciplines: Surveyors, engineers,
18 architects, or landscape architects. And since that is a
19 discipline that is specifically mentioned in the Code as
20 one of those which would seal a plan, I am going to allow
21 Mr. Scoll to testify about the development plan, if that

1 where he's going.

2 And since there's no need to worry about if he's
3 going to be asked about whether this is a Master Plan
4 conflict. If his testimony gets too far afield, then I'll
5 take any objection at that time.

6 MR. BARHIGHT: There's just several very narrow
7 areas of inquiry. I don't know whether Mr. Nolan is done
8 voire dire or not?

9 ZONING COMMISSIONER: I have given my ruling, so
10 whether he's done or not, we're going to move on.

11 CONTINUED DIRECT EXAMINATION

12 BY MR. BARHIGHT:

13 Q. Mr. Scoll, you have been present during the
14 entirety of the proceedings here today?

15 A. Yes, I have.

16 Q. Are you familiar with the Parkside development in
17 its many innerations?

18 A. Yes.

19 Q. Were you instrumental in the design of Parkside
20 innerations?

21 A. Yes, I have been.

1 Q. Are you familiar with the Honeygo area?

2 A. Yes.

3 Q. Are you familiar with the Baltimore County zoning
4 regulations and development regulations?

5 A. Yes.

6 Q. Are you familiar with the specifically Honeygo
7 Park/Messic property and the other properties that are the
8 subject matter of the Parkside Development Plan as well as
9 the Schwartz property, which is identified on Baltimore
10 County Exhibit No. 1 as the former Schwartz property?

11 A. Yes, I am.

12 Q. First question then. Is there, in fact, a
13 pedestrian connection between the former Schwartz property
14 and the Honeygo Park?

15 A. Yes, there is.

16 Q. Would you please describe it to the Hearing
17 Officer?

18 A. It's a sidewalk that was built alongside Honeygo
19 Boulevard immediately adjacent to it and on the same
20 grade.

21 Q. What is the nature of the grade change that one

1 would experience if one tried to travel from the former
2 Schwartz property to the Honego Park main area off of that
3 sidewalk?

4 A. It's severe. At that particular point, and just
5 to the south of the subject property, there's a deep
6 culvert, and that takes the Honeygo Run from one side of
7 Honeygo Boulevard to the other.

8 It resembles many parts of Gunpowder State Park.
9 The slopes are significant. The vegetation is heavy with
10 the exception of the area which is extensive where the
11 land was cut out and filled in in order to create the
12 culvert under Honeygo Boulevard, so it would not be for
13 the average walker.

14 It would be something that might be, in order to
15 traverse that area, you'd have to be a serious hiker, and
16 you'd have to be willing to get your feet wet. Honeygo
17 Run there is several feet wide.

18 Q. I'd like to direct your attention to the Master
19 Plan and, in particular, Map 29, which is on page 192 of
20 the Master Plan 2010, and ask you to identify the document
21 which I have just unfolded before you. What is that

1 document?

2 A. This is a blow-up of page 192, Map 29, out of the
3 2010 Master Plan. Our office scanned this plan and then
4 blew it up to create a picture that was a little easier to
5 see.

6 Q. Was the blow-up and the notations that have been
7 added to Map 29 all done at your direction, supervision
8 and control?

9 A. Yes.

10 Q. Have you attempted to identify the location of
11 the three different basic parcels on Map 29?

12 A. Yes, we have.

13 Q. Let's take the first one first, being the
14 Parkside Development. Have you identified the location of
15 the Parkside Development on this blow-up of Map 29?

16 A. Yes, we have.

17 Q. For the Hearing Officer, can you generally
18 indicate its location?

19 A. If you look at the plan right where it says
20 Honeygo Boulevard, where we have -- actually, our office
21 has dashed in the alignment of Honeygo Boulevard adjacent

1 identified that bulk of Park/Recreation area?

2 A. Yes. That is shown as part of this Master Plan
3 document.

4 Q. Are there any properties that are situated within
5 that Park/Recreation area that, based upon your review of
6 the State Department of Assessments and Taxation
7 documentation, are not currently owned by Baltimore
8 County, Maryland?

9 A. Yes. There are two. One was referred to in
10 prior testimony as the Fish and Game property, and the
11 other just immediately north of it is a property owned by
12 a party names Rush.

13 Q. "Rush"?

14 A. "Rush."

15 Q. So it is clear for the record, is the
16 southernmost of those two, the Fish and Game property?

17 A. That's correct.

18 Q. And the northernmost of those two which are
19 adjacent is the Rush property?

20 A. That's correct.

21 MR. BARHIGHT: One moment, please. I might be

1 to what is indicated as the Honeygo Park on Exhibit 1.

2 Just to the left, or to the right of it, we have
3 dashed in the entire thirty-seven acres that is the
4 subject of the Parkside concept plan, which includes the
5 Messic, et al, properties that are immediately adjacent to
6 Honeygo Boulevard.

7 Q. Are all of the subject properties of the Parkside
8 Development immediately adjacent to the Park/Recreation
9 area of Map 29?

10 A. Yes, they are.

11 Q. And of the legend items identified at the upper
12 left-hand corner of Map 29, which of those legend items
13 pertain to the Parkside Development?

14 A. Allowing for the discrepancies between the
15 coloration on the legend and the coloration on the plan,
16 this Parkside area that we have delineated is indicated as
17 single family detached.

18 Q. I'd like to direct your attention to that main
19 Park/Recreation area that is in the center, if you will,
20 of the Perry Hall/White Marsh growth area, which is to the
21 south and west of the Parkside property. Have you

1 done.

2 Q. I'm not sure anybody has said. What is the
3 Parkside property zoned?

4 A. Primarily D.R. 2H. There is some that's zoned
5 D.R. 3.5H. And there's a little bit that's zoned D.R. 1H.

6 Q. What does the "H" overlay designate, generally?

7 A. That is part of the Honeygo overlay district.

8 Q. And as part of the Honeygo overlay district, are
9 there Baltimore County zoning regulations that relate to
10 allocation systems for the Honeygo development?

11 A. Yes, there are.

12 Q. Do those allocation systems within the zoning
13 regulations also indicate triggering requirements that
14 include, among other things, Recreation and Park
15 acquisition of parkland and development of parkland?

16 A. Yes. The Code is very specific.

17 ZONING COMMISSIONER: What section of the Code are
18 you referring to, Mr. Scoll?

19 THE WITNESS: Section 259, Honeygo regulations,
20 overlay district regulations.

21 ZONING COMMISSIONER: The allocations you're

1 talking are for utilities?

2 THE WITNESS: Utilities, recreation, land, and
3 schools, as well as roads.

4 MR. BARHIGHT: I take it by the furrowed brow
5 from the Hearing Officer, that maybe he wasn't sure what I
6 was talking about?

7 ZONING COMMISSIONER: No. I know what you're
8 talking about.

9 MR. BARHIGHT: Okay.

10 ZONING COMMISSIONER: The allocations and the
11 authorizations.

12 MR. BARHIGHT: Yes. And that there are certain
13 capital facility items that have to occur before different
14 allocations are triggered.

15 ZONING COMMISSIONER: Right.

16 MR. BARHIGHT: Okay.

17 ZONING COMMISSIONER: I had forgotten that that
18 section relates to parkland as well. I recall from
19 several cases the connections for various sewer areas, on,
20 so forth. That's what I was thinking of.

21 MR. BARHIGHT: No other questions of this witness

1 at this time. Thank you. Oh. Wait, wait. I'm sorry.
2 I'd like to introduce this as the next protestant's
3 exhibit.

4 ZONING COMMISSIONER: I think the witness has --

5 MR. NOLAN: No objection.

6 ZONING COMMISSIONER: I will mark it as, I
7 believe it's No. 5, is that right? Mr. Barhight, does
8 that sound about right?

9 MR. BARHIGHT: Yes. It was a July 30 item that
10 was Protestant's Exhibit No. 4, so five would be the Map
11 29 as amended.

12 ZONING COMMISSIONER: Okay. That will be marked
13 as No. 5.

14 MR. BARHIGHT: No other questions of this witness
15 at this time. Thank you.

16 ZONING COMMISSIONER: Mr. Scoll, let me ask you
17 something about this map and just ask you, if you know --
18 I'm just going to take one of these areas. For example,
19 the industrial, which is in the light blue. Is every
20 single area shown on here as marked in blue industrial,
21 presently used industrial land?

1 THE WITNESS: It's unlikely. It's most likely
2 zoned industrial.

3 ZONING COMMISSIONER: Do you know by personal
4 knowledge from being over here at all of any particular
5 parcel or tract that is not so used in its designation?

6 THE WITNESS: I believe -- I believe that the
7 piece that's shown adjacent to Silver Spring Road and
8 Honeygo Boulevard -- I'm sorry. That's actually
9 institutional, so that's correct.

10 As I look at the light blue, or the dark blue --
11 let's see. Well, along Philadelphia Road, there are a lot
12 of vacant properties that are not currently used. I
13 believe -- let's see -- Allender Road isn't indicated on
14 here, but there's a piece between the intersection of
15 Philadelphia and Allender that's zoned industrial that I
16 am pretty sure is vacant at this point in time.

17 ZONING COMMISSIONER: Okay. Mr. Nolan,
18 cross-examination.

19 MR. NOLAN: Thank you.

20 CROSS EXAMINATION

21 BY MR. NOLAN:

1 Q. Mr. Scoll, you have been sitting next to Exhibit
2 1 over there, you're familiar with it?

3 A. Yes, sir.

4 Q. And just to be clear, if you take the large green
5 piece, you will agree that the Fish and Game property and
6 the Rush property are not colored in green on Exhibit 1?

7 A. I would agree with that, yes.

8 Q. And then that's different from what is depicted
9 on Exhibit No. 5 that you were just testifying about?

10 A. That's correct.

11 Q. And, also, Exhibit 5, you did not put in the
12 Schwartz property, is that correct?

13 A. We did not indicate the Schwartz property on this
14 exhibit.

15 Q. That's parkland that was acquired by Baltimore
16 County subsequent to the creation of this map and the
17 changes that you have made to it?

18 A. Yes, that's true.

19 Q. As well as other parklands that have been
20 acquired by the county and are not shown on the original
21 of this map which appears at page 192 of the Master Plan?

1 A. That's correct.
 2 Q. Now, the part of the Parkside development that is
 3 shown on Exhibit No. 1 is in purple, is that correct?
 4 A. There is a piece -- actually, I would call that
 5 blue. There's a purple designation that's, I think, for a
 6 different type of use.
 7 Q. You're right. Okay. Let's call it blue. And
 8 then the rest of the so-called Parkside development as
 9 shown in the outline form on your exhibit is not depicted
 10 in blue on Exhibit No. 1?
 11 A. That's true.
 12 Q. Now, just to be clear, your client does not own
 13 any of this property, is that correct?
 14 A. My understanding is that my client is a contract
 15 purchaser.
 16 Q. As to all of these properties that have been
 17 assembled for purposes of developing the Parkside
 18 development?
 19 A. I don't think I can testify to that. I believe
 20 he's contract purchaser for all the parcels.
 21 Q. Did you draw the concept plan that is at issue

1 ZONING COMMISSIONER: Mr. Barhight?
 2 MR. BARHIGHT: Nothing further. Thank you.
 3 ZONING COMMISSIONER: Thank you, Mr. Scoll. You
 4 may step down.
 5 MR. BARHIGHT: That would be our case in chief as
 6 well.
 7 ZONING COMMISSIONER: Anything on rebuttal by the
 8 county?
 9 MR. BEVERUNGEN: No, sir.
 10 ZONING COMMISSIONER: Okay.
 11 (End of excerpt testimony)
 12 * * * * *

1 here?
 2 A. The concept plan was prepared under my direction.
 3 Q. Does that concept plan show a road coming from
 4 Honeygo Boulevard, as you have indicated on your exhibit,
 5 across the blue property depicted on Exhibit 1, and going
 6 back into the remainder of the development as depicted on
 7 your exhibit?
 8 A. It does.
 9 Q. So there would be a road coming from Honeygo
 10 Boulevard crossing that property and going back into the
 11 other properties that are currently under contract?
 12 A. It would.
 13 Q. Now, you were talking about a sidewalk?
 14 A. Yes.
 15 Q. That sidewalk is where?
 16 A. Adjacent to the paving of Honeygo Boulevard.
 17 Q. So if a road was put across the property, as you
 18 just testified, then there would be a road, and the road
 19 would intersect the sidewalk that you've discussed?
 20 A. Just like it does everywhere else.
 21 MR. NOLAN: That's all I have.

1	I N D E X				
2					
3	Witness	Direct	Cross	Redirect	Recross
4	Patrick McDougall	2	48		
5	Lynn Lanham	54	63		
6	John Weber	89	108		
7	Alan Scoll	126	144		
8					
9					

10	E X H I B I T S			
11	County Ex. No.	Page	Protestant Ex. No.	Page
12	No. 1	17	No. 2	69
13	No. 2	17	No. 3	74
14	No. 3	23	No. 4	109
15	No. 4	40	No. 5	143
16	No. 5	57		
17	No. 6	69		
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trew [1] 112:4	64:18 84:4	116:15 119:17 121:4	wrong [5] 13:16,17 63:2	
tried [1] 137:1	unique [1] 41:18	122:2 125:5,15 149:6	111:6 119:9	
triggered [1] 142:14	unless [2] 8:5 119:16	Webers's [1] 107:17	-X-	
triggering [1] 141:13	unlikely [1] 144:1	week [1] 105:4	X [4] 9:10 20:14 149:2,10	
true [22] 70:9,13,17 71:1	up [20] 2:7 10:2,3 26:10	weeks [3] 31:18 56:7 98:1	-Y-	
72:19,21 73:8,14 74:14	28:1 40:8 44:9 45:6 50:20	WEI [1] 133:17	Y [2] 9:10 53:20	
74:18 75:12,16,19 77:2,6	50:21 55:4 67:11 83:7	werent [1] 86:18	yard [1] 128:13	
77:11 78:6 81:14 109:19	95:15 105:15 108:9	west [2] 6:15 139:21	year [8] 13:2 46:5 47:7	
117:6 145:18 146:11	118:15,17 128:11 138:4	wet [1] 137:16	47:12 48:6,8 131:6,12	
truly [1] 10:6	upkeep [1] 90:21	whatnot [3] 5:5 33:5	years [8] 3:5 26:20 37:21	
truncated [1] 69:2	upper [2] 95:13 139:11	38:17	40:1 54:12 93:14 97:1	
truth [2] 20:10,14	urban [1] 60:14	whatsoever [3] 17:3	127:4	
try [6] 55:4 56:13 60:4	urbanization [1] 44:9	110:10 130:20	yellow [5] 94:4,5,7,18,19	
67:16 93:10 115:20	used [7] 50:11,14 82:10	whereas [1] 7:21	yet [2] 8:2 93:21	
trying [16] 27:18 30:3,5	117:5 143:21 144:5,12	wherever [1] 8:5	Young [2] 99:21 101:20	
51:17 65:7 83:3 93:12	uses [2] 8:10 82:18	White [13] 4:2 5:8,12,13	yourself [3] 54:2 70:3	
96:11 97:5 102:17 107:1	using [4] 6:9 16:2 46:17		112:2	
115:6 117:20 118:18	118:13			
120:7 127:17				



111 West Chesapeake Ave.
Towson, Md. 21204

410-887-3335
410-887-2824 (fax)

TO: **D. S. THALER & ASSOC., INC.**

FROM: Joe Chmura
Development Management

SUBJECT: **DEVELOPMENT PLAN CHECKPRINT**

PROJECT: **PARKSIDE - RESUBMITTAL**

DATE: April 25, 2002

*Not
No 1*

The check print for the above-mentioned project has been reviewed for conformance with general filing requirements and may be further processed in accordance with the following:

Submit the following marked items to Room 123 of the County Office Building,
111 West Chesapeake Avenue, Towson, MD 21204:

- ☒ Certified or cashier's check in the amount of \$4,183.00 made payable to Baltimore County for development plan review.
- ☒ 36 copies of the plan, signed and sealed, & folded to 8 1/2 X 11, for agency review (the red-line checkprint must also accompany the plans)*
- ☒ 1 copy (each): Hydrogeologic study; Environmental effects report
- ☒ 1 copy (each): Preliminary forest conservation plan per sec. 14-408 (B) (1). **
Forest conservation worksheet
- ☒ 2 copies: Schematic landscape plan (for all development except RC 2& RC 4)
- ☒ 1 copy: Development Plan Checklist - section 26-203 of Baltimore County Code, sealed and signed.
- ☒ **FOR RESIDENTIAL SUBDIVISIONS ONLY** 2 copies of the School Impact Analysis Report required by Adequate Public Facilities Legislation Bill No. 110-99. Contact the Office of Planning at 410-887-3521 for information regarding this requirement.

The plans must contain the following note: "I, _____, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development."

****Please be advised that incomplete development plan submittals and/or the lack of response to agency requirements as set forth during CONCEPT PLAN MEETING, may delay further processing of your project. Development plans that are not properly signed and sealed by a registered professional surveyor, engineer, architect, or landscape architect will not be accepted. Should you have any questions regarding this matter, please do not hesitate to call our office at (410) 887-3335.**

(rev 3/22/00)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

CONCEPT PLAN CONFERENCE

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director - Office of Planning

DATE: July 30, 2001

PROJECT NAME: Parkside P.U.D.

PROJECT NUMBER: XI-875

PROJECT PLANNER: Lynn Lanham

Handwritten signature: Paul No 2

GENERAL INFORMATION:

Applicant Name: Parkside, LLC
7115 Ambassador Road
P.O. Box 47428
Baltimore, MD 21244-7428

Location: W/S Cowenton Rd.; N & S/S Honeygo Blvd; E Honeygo Rd.

Councilmanic District: 5th

Land Management Area: Growth Area/Perry Hall-White Marsh

Zoning: DR 2, DR 3.5, DR 1

Acres: 44.68± acres

Surrounding Zoning and Land Use:

North:	DR 3.5H	Single Family Detached, Unimproved & Park
South:	DR 1	Honeygo Park
East:	DR 3.5H	Single Family Detached & Unimproved
West:	DR 2 H	Single Family Detached, Forest, Park & Future Honeygo Boulevard

Project Proposal:

The applicant proposes a residential planned unit development (PUD R-1) consisting of a gated community of 140 total units that includes 44 single-family attached townhomes (villas), 96 condo apartments and one existing single-family on 44.68± acres of land zoned DR 1 (2.4± acres), DR 2H (33.7± acres), and DR3.5H(8.58± acres). A density transfer of 41.95 dwelling units from the Moore' Meadows (PDM # XI-728) is included in the above calculations.

Open space of 4.5 ± acres is proposed to include two tennis courts, a swimming pool, gazebo, band shell, putting green, and horse shoe pit. The land is primarily wooded with an existing farm field adjacent to future Honeygo Boulevard. Steep slopes greater than 25%, wetlands and a stream (Honeygo Run) exist on site.

Contrast Plan Proposal

The applicant proposes a conventional development consisting of 39 single family detached dwellings on 44.68± acres of land zoned DR 1 (2.4± acres), DR 2H (33.7± acres), and DR3.5H(8.58± acres). Open space calculations are not shown.

Other Anticipated Actions and Additional Review Items:

☐ Special Exception	☐ Special Hearing	☒ PUD
☐ Variance	☒ Compatibility	☐ Design Review Panel
☐ Waiver	☐ Scenic Route	☒ Honeygo
☐ RTA Modification	☒ Referral to Planning Board	

PARTIES TO BE NOTIFIED BY APPLICANT:**ALL ADJACENT PROPERTY OWNERS**

Mr. David Marks, President
Perry Hall Improvement Association
P.O. Box 63
Perry Hall, MD 21128

MEETINGS:

Concept Plan Conference	07/30/01	Community Input Meeting	
Development Plan Conference		Hearing Officer's Hearing	
Planning Board			

COMMENTS:

The receipt of additional information from the Community Input Meeting or other sources may generate further comments at the Development Plan Conference.

MASTER PLAN and COMMUNITY PLAN

The site is located within the Honeygo Run Subareas of the Honeygo Plan, adopted by the County Council July 5, 1994 as an amendment to the Master Plan. The single-family residential development proposed by the contrast plan is consistent with the land use recommendations of the Honeygo Plan and *Master Plan 2010*, "Single Family Detached." The Master Plan Land Management Area designation is "Perry Hall-White Marsh Growth Area." The single-family attached residential and multi family housing proposed by the PUD is inconsistent with the recommendations of the Honeygo Plan.

SCHOOL IMPACT ANALYSIS:

This development is subject to the requirements of Bill 110-99, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Office of Planning's Web Page:
<http://www.co.ba.md.us/bacoweb/services/planning/html/planof.htm>.

7/30/01 - new
enrollment
figures available

REFERRAL TO THE PLANNING BOARD

Section 26-202 (m) of the Baltimore County Code requires the Office of Planning to make a report to the Planning Board on the Concept Plans for Planned Unit Developments (PUD) outlining the County's position within thirty (30) days of the CIM. The Director of the Office of Planning may recommend changes in the site layout, types, intensity of uses, signage, landscaping requirements or other aspects of the Plan which the Director deems necessary for the Plan to meet the intent, purpose, conditions and standards of PUD regulations. The Planning Board shall approve or deny the Director's report and Concept Plan. In approving a Concept Plan, the Planning Board may also amend or modify the Plan. If a Concept Plan is approved by the Planning Board, the applicant may proceed through the process by preparing a detailed Authorization Plan for review by County agencies and final action by the Hearing Officer. Concept Plans denied by the Planning Board will not be forwarded for further review by the County.

PLANNED UNIT DEVELOPMENT REGULATIONS (PUD)

The intent of Planned Unit Development (PUD) regulations is for the County to permit "...flexibility in the application of its land use regulations... to encourage the development of creatively designed neighborhoods which will provide a higher degree of project design than obtained through the conventional application of these regulations." (Section 430.3 of the BCZR.)

In order to evaluate the benefits of a proposed PUD, the proposal (maps and written documentation) must be presented so as to contrast the PUD with a Plan prepared according to conventional regulations. Additionally, the proposal must demonstrate the way in which any adverse impacts will be mitigated. (Section 430.5 of the BCZR.)

The proposed Parkside, LLC PUD is classified as a PUD R1 in that it is less than 100 acres and has no commercial or density bonuses. The advantages of this type of PUD for the applicant are that densities may be transferred without regard to zone lines and there are no restrictions on house types. In exchange for these benefits, the County must find that the standards listed in Section 430.4 of the BCZR are met so as to:

- conserve and reinforce the character of Baltimore County's landscapes and landmarks;
- promote a sense of neighborhood and community, not just a quantity of housing;
- provide open space, a PUD's most important asset, in a well-planned and designed network of environmentally sensitive areas and active and passive recreational uses; and
- detail streets to make pedestrians feel welcome and secure (Planned Unit Development Section of the Comprehensive Manual of Development).

Additionally, the PUD R1 proposals are subject to the compatibility provisions contained in Section 26-282 of the County Code (Section 430.9.A of the BCZR). At the time of Concept Plan submission, the applicant is required to provide written documentation of how the PUD will comply with the 8 compatibility objectives outlined in Section 26-282.

PUD SUBMISSIONS

The following items must be submitted prior to the CIM:

1. Architectural drawing consisting of building elevations with materials and colors indicated; perspectives; critical cross-sections and massing studies to demonstrate building relationships to one another and the topography; the signage concept; and screening concept;
2. A schematic grading plan;
3. An overall plan showing the park plans and overall transportation network with the Honeygo Plan area; and
4. Written Documentation as follows:

- a. Conformance with PUD design standards
 - b. Compatibility analysis
 - c. Environmental effects report
5. Plans should be prepared at a more readable scale of at least 1"=50'-0".

GREENWAY

Honeygo Run is designated as a recreational greenway on Map 18 of *Master Plan 2010*. The developer should contact the Department of Recreation and Parks to determine the appropriate greenway dedication alternative.

OPEN SPACE

At least 20% of the gross area of a PUD-R tract or 1,000 square feet per dwelling unit, whichever is greater, shall be preserved as local open space. The area may include preserved natural areas, vegetative buffers, parks or recreational areas. At least 50% of the open space shall be usable as determined by the Director of the Department of Recreation and Parks.

★ The applicant has not included the 20% open space calculation for the land "borrowed" for the Moore's Meadows density.

ZONING REGULATIONS

1. The proposed development is within the Honeygo Overlay District and is subject to the regulations and standards of Section 259.4 through 259.9 of the Baltimore Zoning Regulations and the Honeygo Overlay District Design Guidelines adopted by the Baltimore County Council March 17, 1997.
2. Section 259.9.B.3 requires "The minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit." Lot widths should be dimensioned.

TRANSPORTATION

One of the Master Plan 2010 transportation policies states, "Continue existing efforts to coordinate land use and transportation planning, as has been done in the designated growth areas, so that the transportation system can accommodate potential travel demand." A recommended action stemming from that policy states, "Plan for interconnecting streets and provide for the multiple vehicular access points to communities to avoid concentrating traffic on the collector system." Another Master Plan 2010 transportation policy states, "Continue to refine traffic management techniques that help to make the existing transportation system more efficient." A recommended action stemming from that policy states, "Ensure that the essential elements (links) of a highway network are in place to adequately serve travel demand."

- Rexus Avenue should be connected with the proposed Road A on both the PUD R-1 and the Contrast Plan.

DESIGN

The following comments apply to both the PUD R-1 proposal and the Contrast Plan unless noted otherwise.

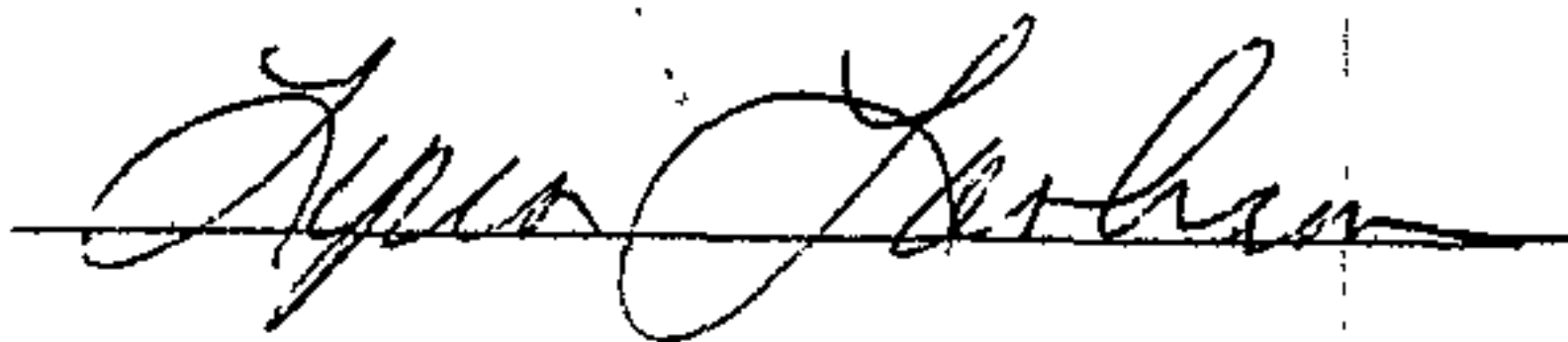
1. In order for the density of the Moore's Meadow tract to be used within the PUD proposal it must be shown as part of this tract and submitted in conjunction with this proposal.
2. The tract boundary is different on the PUD R-1 proposal and the contrast plan. The PUD R-1 proposal is using part of Honeygo Park for the entrance road, several units and open space.
3. The PUD R-1 proposal should be redesigned and resubmitted. The current proposal does not exhibit a creatively designed neighborhood nor does it provide a higher degree of project

design than obtained through the conventional application of the regulations. The proposal should exceed the Honeygo guidelines providing a superior model for future development in the area.

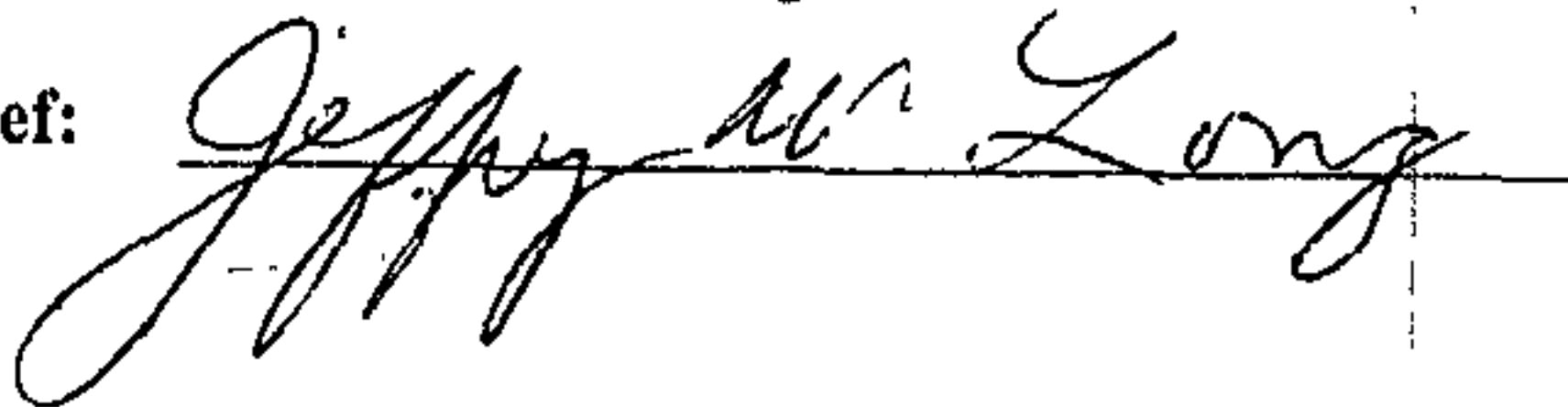
- A* 4. The plans should be redesigned to avoid building over the alignment of the future sanitary sewer shown on the plan.
5. The open space should be a form-giving element of the design. The central open space area should be located with units fronting onto the space as in a more traditional neighborhood design.
6. The open space should be consolidated.
7. Buildings should be located to define the streets and open spaces.
8. Parking for the townhouses should be to the rear through the use of alleys.
9. Single-family attached buildings should front onto streets or open space.
10. Multi-family buildings should be oriented parallel to the streets serving the site. Parking lots should be located to the interior of the site with the buildings organized around intensely developed courtyards with benches, gazebos, landscaping and special paving and lighting.
- 7.* 11. Eliminate Road B and the condo shown at the end of said road on the PUD R-1 plan.
12. Finish all single-family attached houses and multi-family buildings with brick or other masonry material on all sides to within 12 inches of grade.
13. Incorporate small open space areas, medians, and traffic calming at vehicular and pedestrian entries into the proposal and along the proposed streets.
14. Provide a proposed grading plan. Proposed grading may limit the functionality of the open spaces as shown.
15. The Honeygo Overlay District Design Guidelines require that "storm water management ponds be integrated into the overall site plan" and additionally that "fencing be minimized or eliminated around storm water management ponds, where possible, by using slopes 4:1 or flatter." The BCZR requires that storm water management pond slopes shall not exceed a ratio of 3:1. The storm water management ponds should be designed as amenity features for the development. Provide cross-sections to illustrate the relationship between the pond, adjacent roads and houses.
16. The plan should show any required RTA setbacks and buffers.
17. Setbacks along Honeygo Boulevard should be increased by 20 feet. *what authority?*
18. Reverse frontage lots are not allowed in Honeygo (contrast plan).
19. Provide schematic building elevations (all sides) and plan views to illustrate driveway and garage location, parking pads and that site and building design are in compliance with the requirements of the Honeygo Regulations and the Honeygo Design Guidelines as follows:
- Garages attached to a principle residential structure should not be accessed from the front unless no other option is available. Garages should not be the dominant element of the building's façade.
 - At least 70 percent of the exterior surface of the front façade shall consist of natural materials such as brick or stone.

- c. Building exteriors shall be of finished quality and similar architectural treatment, as defined in the Honeygo District Design Guidelines, to grade or, where that is not feasible, shall be finished to within 12 inches of grade on all sides of the building.
 - d. A front entry garage shall be recessed at least 8 feet behind the front façade of the dwelling.
 - e. A two-car garage facing the street shall have two individual doors separated by a divider. The front façade of all garages, including the divider shall be constructed of the same natural materials, such as brick or stone, as the front façade of the building.
 - f. The exterior surface of a side entry garage that faces the front of the dwelling shall be constructed of the same natural materials, such as brick or stone, as the front façade of the building.
 - g. Treat building ends with porches, windows, doors, and other details to avoid blank, unarticulated walls.
 - h. Roofs shall be pitched in accordance with the Honeygo Overlay District Design Guidelines.
 - i. Parking pads may not be located in the front yard.
20. Place a note on the plan stating:
- All fencing shall be in conformance with the Honeygo Overlay District Design Guidelines, and any fence more than three feet high shall also be setback at least five feet from any public right-of-way other than an alley. Landscaping shall be provided on the street side of the fence.*
21. Provide a fence elevation on the Development Plan.
22. Provide elevations and details of any proposed signage.
23. Provide sidewalks along all existing and proposed roads.
24. Number the proposed lots and buildings.
25. Dimension the lines of division with bearings and distances.
26. The front orientation arrows should be shown on all lots.

Prepared By:



Section Chief:



LL:kma

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

*Prob
No 3*

CONCEPT PLAN CONFERENCE

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director - Office of Planning

DATE: March 18, 2002

PROJECT NAME: Parkside - Resubmittal

PROJECT NUMBER: XI-875

PROJECT PLANNER: Anne Roane

GENERAL INFORMATION:

Applicant Name: Parkside, LLC
7115 Ambassador Road
P.O. Box 47428

Location: W/S Cowenton Ave.; S/S Honeygo Blvd.; E Honeygo Run

Councilmanic District: 5th

Land Management Area: Growth Area/Perry Hall-White Marsh

Zoning: DR 2H, DR 3.5H, DR 1

Acres: 35.98± acres

Surrounding Zoning and Land Use:

North:	DR 3.5H	Single Family Detached, Unimproved & Park
South:	DR 1	Honeygo Park
East:	DR 3.5H	Single Family Detached & Unimproved
West:	DR 2 H	Honeygo Boulevard

Project Proposal:

The applicant proposes 43 single family detached dwelling units on 35.9± acres of land zoned DR-1 (2.4± acres), DR-2H(28± acres), and DR-3.5(5.5± acres). Local open space of .99± acres is proposed. There are steep slopes and a portion of Honeygo Run on the property.

Project History:

The proposed project was previously submitted as residential planned unit development (PUD R-1) on July 30, 2001. The PUD R-1 proposed a mix of housing types totaling 140 units. In a letter received by our office on September 24, 2001, the applicant decided not to pursue the PUD R-1.

Other Anticipated Actions and Additional Review Items:☐ Special Exception☐ Special Hearing☐ PUD☐ Variance☒ Compatibility☐ Design Review Panel☐ Waiver☐ Scenic Route☒ Honeygo Overlay District
Design Guidelines☐ RTA Modification☐ Referral to Planning Board**PARTIES TO BE NOTIFIED BY APPLICANT:****ALL ADJACENT PROPERTY OWNERS**

Mr. David Marks, President
 Perry Hall Improvement Association
 P.O. Box 63
 Perry Hall, MD 21128

MEETINGS:

Concept Plan Conference

03/18/02

Community Input Meeting

Development Plan Conference

Hearing Officer's Hearing

Planning Board

COMMENTS:

The receipt of additional information from the Community Input Meeting or other sources may generate further comments at the Development Plan Conference.

RESIDENTIAL PERFORMANCE STANDARDS

Be advised that this development is subject to Bill 58-01 titled "Residential Performance Standards". Section 260 of The Baltimore County Zoning Regulations requires the Director of Planning to make a finding to the Hearing Officer for all residential development of four lots or more in Baltimore County that is located within the Urban/Rural Demarcation Line. The Office of Planning may require the submittal of sufficient information, such as building elevations and grading plans, from which a finding can be made on compliance of the project with the standards.

The Hearing Officer or the Director of Permits and Development Management, as applicable, shall consider the findings presented by the Director of Planning or the Director's designee before a development plan is approved.

After considering the findings, the Hearing Officer or the Director of Permits and Development Management may deviate from the standards only if clearly necessary to:

1. Comply with another standard;
2. Comply with environmental regulations or otherwise protect resources; or
3. Achieve the best possible development design, considering other goals in the comprehensive manual of development policies.

Before a finding can be made on compliance of the project with the Residential Performance Standards the following items must be submitted:

- a. Architectural elevations of **all facades** including any proposed garage that shall include general massing of the buildings, major facade divisions, porches, gables, dormers, chimneys, size and placement of openings, roof treatment, materials, and colors;
- b. The design and placement of the signage and entrance treatment;
- c. A grading plan;
- d. The design and location of the open space area; and
- e. A written report that addresses the performance standards.

A. 260.2 SITE PLANNING

A development proposal shall:

1. Retain the existing quality vegetation of the site to the fullest extent possible and protect the root systems of that vegetation during construction.
2. Integrate locally significant features of the site, such as distinctive buildings, vistas, topographic features, specimen trees, tree stands, hedgerows, monuments, landmarks, ruins, and gardens into the site design, and retain the character of the features and their settings.
3. Coordinate building design, site layout and grading so that grade transitions are gradual and respect the existing topography.
4. Provide a landscaped buffer between the rear yards of dwellings existing on May 25, 2001 and the rear yards of abutting new dwellings.
5. Provide for smooth transitions between neighborhoods by arranging and orienting the proposed buildings and site improvements to complement those in the surrounding neighborhood.
6. Provide transitions with respect to setbacks, street patterns and building-to-street grade relationships.
 - a. Reverse frontage lots are permitted only if the petitioner can demonstrate that adequate setbacks, topography, berming, landscaping or building design will effectively screen private yard space and decks from the public view. Fences may not be located closer than 20 feet to a public right of way.
 - b. Panhandle lots are not permitted as a matter of right. Panhandles must conform to Section 26-266 of the Baltimore County Code and to the standards in the Comprehensive Manual of Development Policies.
 - c. The minimum width for any single-family detached lot located in the South Perry Hall – White Marsh area north of Ridge Road is 75 feet as measured along both the front wall and rear wall of the dwelling unit. This subsection does not apply to alternative site design dwellings permitted in accordance with section 1BO1.1A.1b or to development plans approved prior to February 1, 2001 or to minor developments.

B. 260.3 OPEN SPACE

A development proposal shall integrate open space areas into the proposed development by:

1. Creating focal points along streets
2. Locating landscaped open green spaces in view of the development entrance or adjoining public street

3. Planning a linked network of natural and landscaped open areas connected by pedestrian/bike trails; and
4. Orienting dwelling units around open areas or squares
 - a. Incorporate significant features such as stands of trees into open areas.
 - b. Link the development's open areas to the surrounding neighborhood open areas, including public parks, walks and bike trails and create both functional and visual continuity, e.g., by matching the design of a bike trail in the proposed development to the bike trail located in the adjoining property.

C. 260.4 STREETS AND PARKING

A development proposal shall:

1. Provide for at least one street connection to an adjoining neighborhood or an adjoining property, not including the principal access to the subdivision; in order to facilitate good traffic circulation.
2. Design streets to slow traffic by offsetting alignments, reducing street width, reducing the length of blocks and employing the use of traffic management devices such as roundabouts, chokers, chicanes, etc., to accomplish traffic calming.
3. Allow on street parking
4. Provide pedestrian and bicycle access to commercial areas and community facilities on site within the development and to the surrounding neighborhood.
5. Provide street and parking accommodations, which complement the surrounding neighborhood.
 - a. Cul-de-sacs may be used if it is demonstrated that a street connection is not feasible due to site conditions such as severe grade transitions or sensitive natural features or an alternative site layout is not feasible. If cul-de-sacs are used, developments should consist of a balance of street patterns (cul-de-sacs and connections). If cul-de-sacs are used, design elements such as center landscaping and traffic circles shall be used.
6. Street widths and front yard setbacks may be reduced in accordance with traditional neighborhood design standards.

D. 260.5 LANDSCAPE DESIGN

A development proposal shall:

1. Landscape public open spaces to invite users, particularly emphasizing the intended entrance to the open space.
2. In addition to plant material, use fences, walls, or earth forms to provide effective and attractive screens and buffers where necessary.
3. Provide for or reinforce and maintain a continuous street tree canopy by preserving healthy street trees or, if they are not present, planting new trees. The canopy shall be comprised of trees of the same species or trees with design characteristics and growth habits that are similar to those of the existing street trees.
4. Include the design for site signage on the schematic landscape plan. If this is not possible, the signage design may be included in the final development plan, and shall be approved before issuance of any building permits.

E 260.6 Buildings

A development proposal shall:

1. Provide variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail.
2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.
3. Adhere to a consistent front building setback for all dwellings on the same street or square, so that the fronts of dwellings define a uniform street edge.
4. Design decks, balconies, and porches as components of the building, following dominant building lines, proportions and style, and in a scale appropriate to the available space on the site.
5. Decks shall be screened to minimize visibility from a public street.
6. Design accessory structures at a scale appropriate to the dwelling and design storage building and garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch and style.
7. Extend the finish material of the exteriors of buildings to grade, or, if this is not possible, to within 12 inches of grade, on all sides of the building excluding foundation walls which shall use a finished quality material such as decorative concrete block, poured concrete with a brick pattern, or stucco, and provide landscaping along the foundation.
8. Use similar materials and design elements on all building facades and articulate all building facades using coordinated architectural features such as porches, windows, doors, chimneys, gables and dormers.
9. Garages may not become the dominant street feature. Garage doors shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.

MASTER PLAN and COMMUNITY PLAN

The site is located within the Honeygo Run Subareas of the Honeygo Plan, adopted by the County Council July 5, 1994 as an amendment to the Master Plan. The single-family residential development proposed by the concept plan is consistent with the land use recommendations of the Honeygo Plan and *Master Plan 2010*, "Single Family Detached." The Master Plan Land Management Area designation is "Perry Hall-White Marsh Growth Area." The single-family detached residential housing proposed by the concept plan is consistent with the recommendations of the Honeygo Plan.

SCHOOL IMPACT ANALYSIS:

This development is subject to the requirements of Bill 110-99, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Office of Planning's Web Page:
<http://www.co.ba.md.us/bacoweb/services/planning/html/planof.htm>.

DEVELOPMENT REGULATIONS:

Panhandle lots are not a matter of right. Section 26-266 of the Baltimore County Code states: "Panhandle lots may only be permitted to achieve better use of irregularly shaped parcels, avoid development in environmentally sensitive areas, and to provide access to interior lots where a

public road is neither feasible nor desirable. Panhandle lots may be permitted only where such lots would not be detrimental to adjacent properties and would not conflict with efforts to provide for public safety and general welfare. Panhandle lots may be permitted in accordance with the following standards:

Each lot shall include an in-fee strip of land providing access to the local street."

DESIGN GUIDELINES

The proposed development is located within the Honeygo Overlay District and is therefore subject to the Honeygo Overlay District Design Guidelines effective March 17, 1997. The applicable guidelines are noted on the concept plan.

DESIGN COMMENTS

1. The proposed active open space should be relocated to provide connections to the existing Honeygo Park.
2. Lots 3 and 4 should be redesigned to eliminate the reverse frontages along Honeygo Boulevard.
3. Provide a potential future connection to parcel 534, lot 1.
4. Remove lots 18, 25 and 26 to eliminate panhandles, which are not permitted.

Prepared By:

Anne Roome

Section Chief:

Jeffrey M. Long

LL:kma

BALTIMORE COUNTY,
MARYLAND

*Prod
No 4*

Subject: Concept Plan Conference Comments

Date: July 30, 2001

From: Department of Recreation and Parks

Project Name: Parkside PUD-R1

Project Number: 11-875 Zoning: DR-1H, DR-2H, & DR-3.5H

Location: W/S of Cowenton Road N & S/S of Honeygo Boulevard E of Hornago Ave

Districts: Elec. 11 Counc. 5

Comments:

This project is subject to the Adequate Public Facilities Act, Bill No. 110-99. The comments generated herein reflect the requirements of Bill No. 110-99 and the Baltimore County Local Open Space Manual, as adopted by the Baltimore County Council on February 22, 2000.

Local Open Space is required for this development.

The PUD plan, as proposed, shows development occurring outside of the Parkside, LLC property boundaries onto land owned by Baltimore County assigned to the Department of Recreation and Parks. This parkland is an integral part of the Honeygo Stream Valley Park & Greenway system. Proposed residential development shall not occur on Recreation and Parks parkland.

It is the recommendation of the Department of Recreation and Parks that the developer withdraws the PUD plan or submits a plan that does not include property owned by Baltimore County. Comments regarding Open Space requirements cannot be made on a plan where development is proposed on parkland.

Please refer to page two and three for comments regarding the Contrast Plan.

Jan M. Cook
Engineer Associate II
410-887-3807
e-mail: jmcook@co.ba.md.us

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BALTIMORE COUNTY, MARYLAND

Subject: Concept Plan Conference Comments

Date: July 30, 2001

From: Department of Recreation and Parks

Project Name: Parkside PUD-R1 Contrast Plan

Project Number: 11-875 Zoning: DR-1H, DR-2H, & DR-3.5H

Location: W/S of Cowenton Road N & S/S of Honeygo Boulevard E of Hornago Ave

Districts: Elec. 11 Counc. 5

Comments:

This project is subject to the Adequate Public Facilities Act, Bill No. 110-99. The comments generated herein reflect the requirements of Bill No. 110-99 and the Baltimore County Local Open Space Manual, as adopted by the Baltimore County Council on February 22, 2000.

Local Open Space is required for this development.

This development is located within the Honeygo Overlay District. Refer to Section 26.498.F of Bill 110-99 regarding the Honeygo Overlay District. As stated in Bill 110-99 and the Local Open Space Manual, all development within the Honeygo Overlay District must provide LOS in accordance with the Honeygo Zoning Regulations, BCZR 259.4 – 259.9 or the requirements of the LOS Manual, whichever are more stringent. In this instance, the requirements of the Baltimore County Local Open Space Manual, as adopted by the Baltimore County Council on February 22, 2000 are more stringent.

The Local Open Space required for 39 units is 39,000sf or 0.9 acres +/-, 25,350sf Active and 13,650sf Passive or a combination thereof as specified in Section III.D.3. All open space calculations shall be shown in square feet.

For future reference, lot numbers should be assigned to all lots on all Concept Plans and successive plans for reference purposes.

The forest buffer limits, as shown, do not appear to be correct and have not been approved by the Department of Environmental Protection and Resource Management. The Open Space is not acceptable as shown. The Open Space shall be County owned and relocated in the vicinity of Court 'B', adjacent to Honeygo Stream Valley Park. The open space shall meet the requirements and standards as described in Section III of the Local Open Space Manual. The

open space shall be clearly delineated with leaders or shading, shall be a minimum of 75' in width (with the exception of passive open space as described in Section III.C.3), shall have finished grades less than 4% for the active and 10% or less for the passive and labeled 'Local Open Space, Active (or Passive)' with square footage and proposed grades shown for each parcel. Details shall be shown on the development plan for any pathways and/or amenities located on the open space. These details shall include types of materials and sections. The required notes and information in Section V shall be placed on the Development Plan.

The following notes shall also be added to the plan:

1. No utilities, whether public or private, including, but not limited to, telephone, cable television, gas and electric, water, sewer, and storm drains shall be placed or constructed on or within the areas labeled as open space without prior written consent from Baltimore County Department of Recreation and Parks.
2. The design, construction and installation of all amenities shown on the development plan shall be the responsibility of the developer.

In addition, Honeygo Run is a Master Plan designated Recreational Greenway. A Recreational Greenway Reservation to the limits of the 100-year floodplain or forest buffer, whichever is greater, shall be dedicated to Baltimore County. The Recreational Greenway Reservation shall be clearly delineated and labeled "Baltimore County Recreational Greenway Reservation." A note shall be added to the plan to read: "Within the area shown as 'Baltimore County Recreational Greenway Reservation', permitted uses may include: public access for hiking, bicycling, fishing, nature/environmental studies, and Baltimore County supervised trail improvements and maintenance, subject to approval by the Department of Environmental Protection and Resource Management." Refer to Section II.C for 'Goals and Objectives for Greenways' and Section IV for 'Greenway Standards.'

Jan M. Cook
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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John F. Weber, Director
Department of Recreation and Parks

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

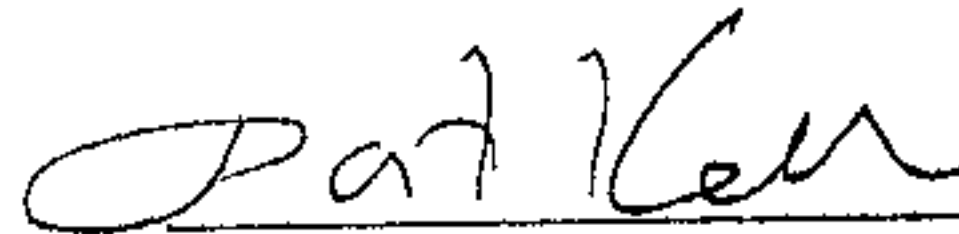
SUBJECT: Letter of Concurrence--Kowalsky Property Acquisition

DATE: March 21, 2001

A review by this office finds this acquisition to be consistent with the Honeygo Community Plan and the Master Plan 2010. It also meets the objectives of the Smart Growth policies of the state.

The Office of Planning concurs with this request for acquisition funding.

Should you have any questions or need additional assistance, please contact Albert Svehla at x3211.


Arnold F. 'Pat' Keller, III

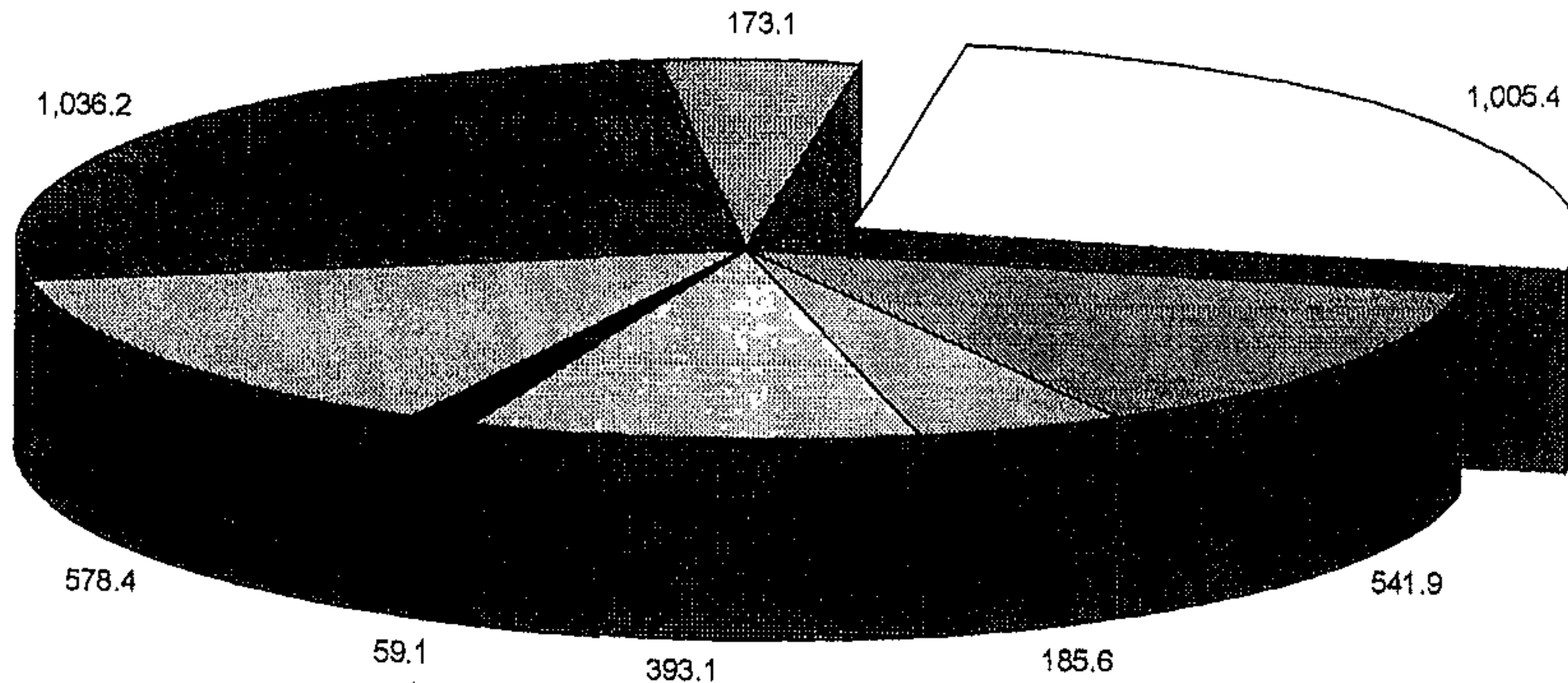
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c: Mary Harvey, Director, CCN
Pat McDougall, R&P
Gary Kerns, Chief, Community Planning, PO

Co Ex No 2

Co. No 4

Northeast Area Parkland Summary: 2000 (all figures in acres)



Countywide Parks (541.9)	Regional Parks (0.0)	Imminent Regional Parks (185.6)
Local Parks (393.1)	Imminent Local Parks/SRC's (59.1)	School Rec. Centers (578.4)
Reservoir Acreage (1,036.2)	Open Space/Undeveloped (173.1)	Existing Acreage Deficit (1,005.4)

The area has a slightly larger percentage of regional and countywide park acreage credit, most associated with the main area of Honeygo Park, which is currently in the design phase. This park, located on the Perry Hall-White Marsh border, will be of major importance in helping to meet the recreational needs of the existing area development, as well as the upcoming growth within the Honeygo Growth Area. Cromwell Valley Park, a countywide park consisting of lands owned by both the State and County, is currently a farm park that hosts numerous agricultural and environmental activities and programs throughout the year.

The percentage of local parks (34.7%) is second lowest of the areas, exceeded only by the Northwest Recreation and Parks Area. These types of parks are particularly short in number within the northeast half of the area, comprising Perry Hall, White Marsh, and Kingsville. While recent strides have been made to attain such sites, largely in an effort to meet the expected needs of the growth area, other sites are needed to provide for the current populace.

A concerted effort will be required to both keep pace with population growth and reduce the current deficit. While much effort has gone into seeking out land in the Perry Hall and White Marsh Councils, more land is needed prior to urbanization "eating up" what remains of land suitable for park acquisition development. The willingness to use the County's power of condemnation must continue in cases where landowners are willing sellers but are holding out for larger purchase prices than fair market value defines.

- EAST RECREATION AND PARKS AREA.

2000 Population:	107,377
Share of County and Regional Parks:	468.6 acres
Local Parks and School Rec. Centers, including those budgeted for dev't.:	888.5 acres
Open Space, including share of reservoir acreage (creditable amount):	991.6 acres
Total Existing Acreage:	2,348.7 acres
Acreage Goal based on population:	3,221.3 acres
Existing Acreage Deficit:	872.6 acres
Current acres per thousand citizens	21.9 acres/thousand

See "East Area Parkland Summary: 2000" on the following page for graphical display of the area's acreage breakdown

The Eastern Area's parkland and open space acreage supply per thousand citizens of 21.9 acres/thousand is identical to the overall County acreage supply rate. While this area once experienced population decline, there has been a recent reversal that now projects a very small growth rate through 2020. This growth, however, is not expected to significantly increase the current area acreage deficit just over 870 acres.

At 42.2%, the amount of open space that comprises the area's overall park and open space acreage is the second highest rate in the County. This above average rate is primarily the result of two factors. The first of these is the presence of a fairly large number of local open spaces in such Recreation and Parks Council jurisdictions as Bengies-Chase, Middle River, and Rosedale. The second factor is the presence of two sizeable undeveloped park sites: the 83.8 acre Day's Cove Park site, and the recently acquired Tidewater Village Park site, both in Bengies-Chase.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

CO
No 5

AMENDED CONCEPT PLAN CONFERENCE COMMENTS

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director - Office of Planning

DATE: March 21, 2002

PROJECT NAME: Parkside - Resubmittal

PROJECT NUMBER: XI-875

PROJECT PLANNER: Anne Roane

GENERAL INFORMATION:

Applicant Name: Parkside, LLC
7115 Ambassador Road
P.O. Box 47428

Location: W/S Cowenton Ave.; S/S Honeygo Blvd.; E Honeygo Run

Councilmanic District: 5th

Land Management Area: Growth Area/Perry Hall-White Marsh

Zoning: DR 2H, DR 3.5H, DR 1

Acres: 35.98± acres

Surrounding Zoning and Land Use:

North:	DR 3.5H	Single Family Detached, Unimproved & Park
South:	DR 1	Honeygo Park
East:	DR 3.5H	Single Family Detached & Unimproved
West:	DR 2 H	Honeygo Boulevard

Project Proposal:

The applicant proposes 43 single family detached dwelling units on 35.9± acres of land zoned DR-1 (2.4± acres), DR-2H(28± acres), and DR-3.5(5.5± acres). Local open space of .99± acres is proposed. There are steep slopes and a portion of Honeygo Run on the property.

Project History:

The proposed project was previously submitted as residential planned unit development (PUD R-1) on July 30, 2001. The PUD R-1 proposed a mix of housing types totaling 140 units. In a letter received by our office on September 24, 2001, the applicant decided not to pursue the PUD R-1.

Other Anticipated Actions and Additional Review Items:

☐ Special Exception	☐ Special Hearing	☐ PUD
☐ Variance	☒ Compatibility	☐ Design Review Panel
☐ Waiver	☐ Scenic Route	☒ Honeygo Overlay District Design Guidelines
☐ RTA Modification	☒ Referral to Planning Board	

PARTIES TO BE NOTIFIED BY APPLICANT:**ALL ADJACENT PROPERTY OWNERS**

Mr. David Marks, President
 Perry Hall Improvement Association
 P.O. Box 63
 Perry Hall, MD 21128

MEETINGS:

Concept Plan Conference	03/18/02	Community Input Meeting	_____
Development Plan Conference	_____	Hearing Officer's Hearing	_____
Planning Board	_____		

COMMENTS:

The receipt of additional information from the Community Input Meeting or other sources may generate further comments at the Development Plan Conference.

MASTER PLAN CONFLICT

The development of this parcel creates a potential Master Plan conflict. The site is located within the Honeygo Run Subareas of the Honeygo Plan, adopted by the County Council July 5, 1994 as an amendment to the Master Plan. The Master Plan Land Management Area designation is "Perry Hall-White Marsh Growth Area. The *Master Plan 2010*, adopted by the Baltimore County Planning Board on September 23, 1999, recommends "Single Family Detached" as the land use for the proposed property on Map 29 "Perry Hall - White Marsh Growth Area Proposed Land Use" (page 192).

However, *Master Plan 2010, Issue: Providing Parks and Recreation Facilities* (page 190), also states "*Parks and recreation facilities in the Perry Hall – White Marsh Growth Area are not adequate to serve the existing residents. The deficiency of such facilities in the growth area is greater than that of most other areas of the county.*"

Action 3 (page 190) states: "Acquire additional park sites in the Perry Hall – White Marsh Area, including sites needed as a requirement of the Honeygo Growth Area Plan.

The Department of Recreation and Parks has been negotiating to acquire parcel 68 (Messick property; tax account number 17-00-003-934) and parcel 480 (Kowalsky property; tax account number 11-13-040-775). The acquisition of these parcels will provide a connection between the recently acquired Schwartz property and the Honeygo Stream Valley Park. The Department has received concurrence from Program Open Space to purchase the property.

The Baltimore County Code, Section 26-66, states, "...in the case of a plan, report to the planning board any condition or circumstance therein which may conflict with or in any manner interfere with, impede, or delay any proposal in the master plan...for any flood area, school, park, playground, or any other public improvement or facility...."

The proposed development conflicts with the recommendations of the current Master Plan. The Development Plan should be referred to the Planning Board by the Hearing Officer pursuant to Section 26-207 (a) (1) of the Baltimore County Code. To expedite Planning Board action, the developer may request referral immediately following the community input meeting.

RESIDENTIAL PERFORMANCE STANDARDS

Be advised that this development is subject to Bill 58-01 titled "Residential Performance Standards". Section 260 of The Baltimore County Zoning Regulations requires the Director of Planning to make a finding to the Hearing Officer for all residential development of four lots or more in Baltimore County that is located within the Urban/Rural Demarcation Line. The Office of Planning may require the submittal of sufficient information, such as building elevations and grading plans, from which a finding can be made on compliance of the project with the standards.

The Hearing Officer or the Director of Permits and Development Management, as applicable, shall consider the findings presented by the Director of Planning or the Director's designee before a development plan is approved.

After considering the findings, the Hearing Officer or the Director of Permits and Development Management may deviate from the standards only if clearly necessary to:

1. Comply with another standard;
2. Comply with environmental regulations or otherwise protect resources; or
3. Achieve the best possible development design, considering other goals in the comprehensive manual of development policies.

Before a finding can be made on compliance of the project with the Residential Performance Standards the following items must be submitted:

- a. Architectural elevations of **all facades** including any proposed garage that shall include general massing of the buildings, major facade divisions, porches, gables, dormers, chimneys, size and placement of openings, roof treatment, materials, and colors;
- b. The design and placement of the signage and entrance treatment;
- c. A grading plan;
- d. The design and location of the open space area; and
- e. A written report that addresses the performance standards.

A. 260.2 SITE PLANNING

A development proposal shall:

1. Retain the existing quality vegetation of the site to the fullest extent possible and protect the root systems of that vegetation during construction.
2. Integrate locally significant features of the site, such as distinctive buildings, vistas, topographic features, specimen trees, tree stands, hedgerows, monuments, landmarks, ruins, and gardens into the site design, and retain the character of the features and their settings.
3. Coordinate building design, site layout and grading so that grade transitions are gradual and respect the existing topography.
4. Provide a landscaped buffer between the rear yards of dwellings existing on May 25, 2001 and the rear yards of abutting new dwellings.
5. Provide for smooth transitions between neighborhoods by arranging and orienting the proposed buildings and site improvements to complement those in the surrounding neighborhood.
6. Provide transitions with respect to setbacks, street patterns and building-to-street grade relationships.
 - a. Reverse frontage lots are permitted only if the petitioner can demonstrate that adequate setbacks, topography, berming, landscaping or building design will effectively screen private yard space and decks from the public view. Fences may not be located closer than 20 feet to a public right of way.
 - b. Panhandle lots are not permitted as a matter of right. Panhandles must conform to Section 26-266 of the Baltimore County Code and to the standards in the Comprehensive Manual of Development Policies.
 - c. The minimum width for any single-family detached lot located in the South Perry Hall – White Marsh area north of Ridge Road is 75 feet as measured along both the front wall and rear wall of the dwelling unit. This subsection does not apply to alternative site design dwellings permitted in accordance with section 1BO1.1A.1b or to development plans approved prior to February 1, 2001 or to minor developments.

B. 260.3 OPEN SPACE

A development proposal shall integrate open space areas into the proposed development by:

1. Creating focal points along streets
2. Locating landscaped open green spaces in view of the development entrance or adjoining public street
3. Planning a linked network of natural and landscaped open areas connected by pedestrian/bike trails; and
4. Orienting dwelling units around open areas or squares
 - a. Incorporate significant features such as stands of trees into open areas.
 - b. Link the development's open areas to the surrounding neighborhood open areas, including public parks, walks and bike trails and create both functional and visual continuity, e.g., by matching the design of a bike trail in the proposed development to the bike trail located in the adjoining property.

C. 260.4 STREETS AND PARKING

A development proposal shall:

1. Provide for at least one street connection to an adjoining neighborhood or an adjoining property, not including the principal access to the subdivision; in order to facilitate good traffic circulation.
2. Design streets to slow traffic by offsetting alignments, reducing street width, reducing the length of blocks and employing the use of traffic management devices such as roundabouts, chokers, chicanes, etc., to accomplish traffic calming.
3. Allow on street parking
4. Provide pedestrian and bicycle access to commercial areas and community facilities on site within the development and to the surrounding neighborhood.
5. Provide street and parking accommodations, which complement the surrounding neighborhood.
 - a. Cul-de-sacs may be used if it is demonstrated that a street connection is not feasible due to site conditions such as severe grade transitions or sensitive natural features or an alternative site layout is not feasible. If cul-de-sacs are used, developments should consist of a balance of street patterns (cul-de-sacs and connections). If cul-de-sacs are used, design elements such as center landscaping and traffic circles shall be used.
6. Street widths and front yard setbacks may be reduced in accordance with traditional neighborhood design standards.

D 260.5 LANDSCAPE DESIGN

A development proposal shall:

1. Landscape public open spaces to invite users, particularly emphasizing the intended entrance to the open space.
2. In addition to plant material, use fences, walls, or earth forms to provide effective and attractive screens and buffers where necessary.
3. Provide for or reinforce and maintain a continuous street tree canopy by preserving healthy street trees or, if they are not present, planting new trees. The canopy shall be comprised of trees of the same species or trees with design characteristics and growth habits that are similar to those of the existing street trees.
4. Include the design for site signage on the schematic landscape plan. If this is not possible, the signage design may be included in the final development plan, and shall be approved before issuance of any building permits.

E 260.6 Buildings

A development proposal shall:

1. Provide variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail.

2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.
3. Adhere to a consistent front building setback for all dwellings on the same street or square, so that the fronts of dwellings define a uniform street edge.
4. Design decks, balconies, and porches as components of the building, following dominant building lines, proportions and style, and in a scale appropriate to the available space on the site.
5. Decks shall be screened to minimize visibility from a public street.
6. Design accessory structures at a scale appropriate to the dwelling and design storage building and garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch and style.
7. Extend the finish material of the exteriors of buildings to grade, or, if this is not possible, to within 12 inches of grade, on all sides of the building excluding foundation walls which shall use a finished quality material such as decorative concrete block, poured concrete with a brick pattern, or stucco, and provide landscaping along the foundation.
8. Use similar materials and design elements on all building facades and articulate all building facades using coordinated architectural features such as porches, windows, doors, chimneys, gables and dormers.
9. Garages may not become the dominant street feature. Garage doors shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.

SCHOOL IMPACT ANALYSIS:

This development is subject to the requirements of Bill 110-99, Adequate Public Facilities. A school impact analysis is required with development plan submittal. Information is available on the Baltimore County Office of Planning's Web Page:

<http://www.co.ba.md.us/bacoweb/services/planning/html/planof.htm>.

DEVELOPMENT REGULATIONS:

Panhandle lots are not a matter of right. Section 26-266 of the Baltimore County Code states: "Panhandle lots may only be permitted to achieve better use of irregularly shaped parcels, avoid development in environmentally sensitive areas, and to provide access to interior lots where a public road is neither feasible nor desirable. Panhandle lots may be permitted only where such lots would not be detrimental to adjacent properties and would not conflict with efforts to provide for public safety and general welfare. Panhandle lots may be permitted in accordance with the following standards:

Each lot shall include an in-fee strip of land providing access to the local street."

DESIGN GUIDELINES

The proposed development is located within the Honeygo Overlay District and is therefore subject to the Honeygo Overlay District Design Guidelines effective March 17, 1997. The applicable guidelines are noted on the concept plan.

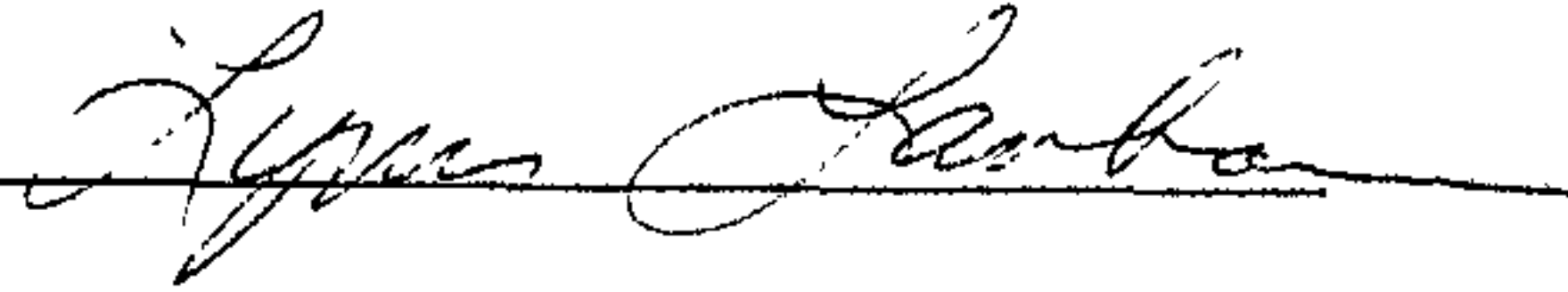
DESIGN COMMENTS

1. The proposed active open space should be relocated to provide connections to the existing Honeygo Park.
2. Lots 3 and 4 should be redesigned to eliminate the reverse frontages along Honeygo Boulevard.
3. Provide a potential future connection to parcel 534, lot 1.
4. Remove lots 18, 25 and 26 to eliminate panhandles, which are not permitted.

Prepared By:



Section Chief:



LL:kma

2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.
3. Adhere to a consistent front building setback for all dwellings on the same street or square, so that the fronts of dwellings define a uniform street edge.
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4. Remove lots 18, 25 and 26 to eliminate panhandles, which are not permitted.

Prepared By:

Anne Ream

Section Chief:

Lynne L. Lantieri

LL:kma

**BALTIMORE COUNTY,
MARYLAND**

Subject: Concept Plan Conference Comments

Date: March 18, 2002

From: Department of Recreation and Parks

Project Name: Parkside - Resubmittal

Project Number: 11-875 Zoning: DR-1, DR-2H, & DR-3.5H

Location: W/S of Clowenton Road N & S/S of Honeygo Boulevard E of Hornago Ave

Districts: Elec. 11 Counc. 5

Comments:

The Department of Recreation and Parks considers this project a Master Plan Conflict and will defer to the Planning Board for its concurrence.

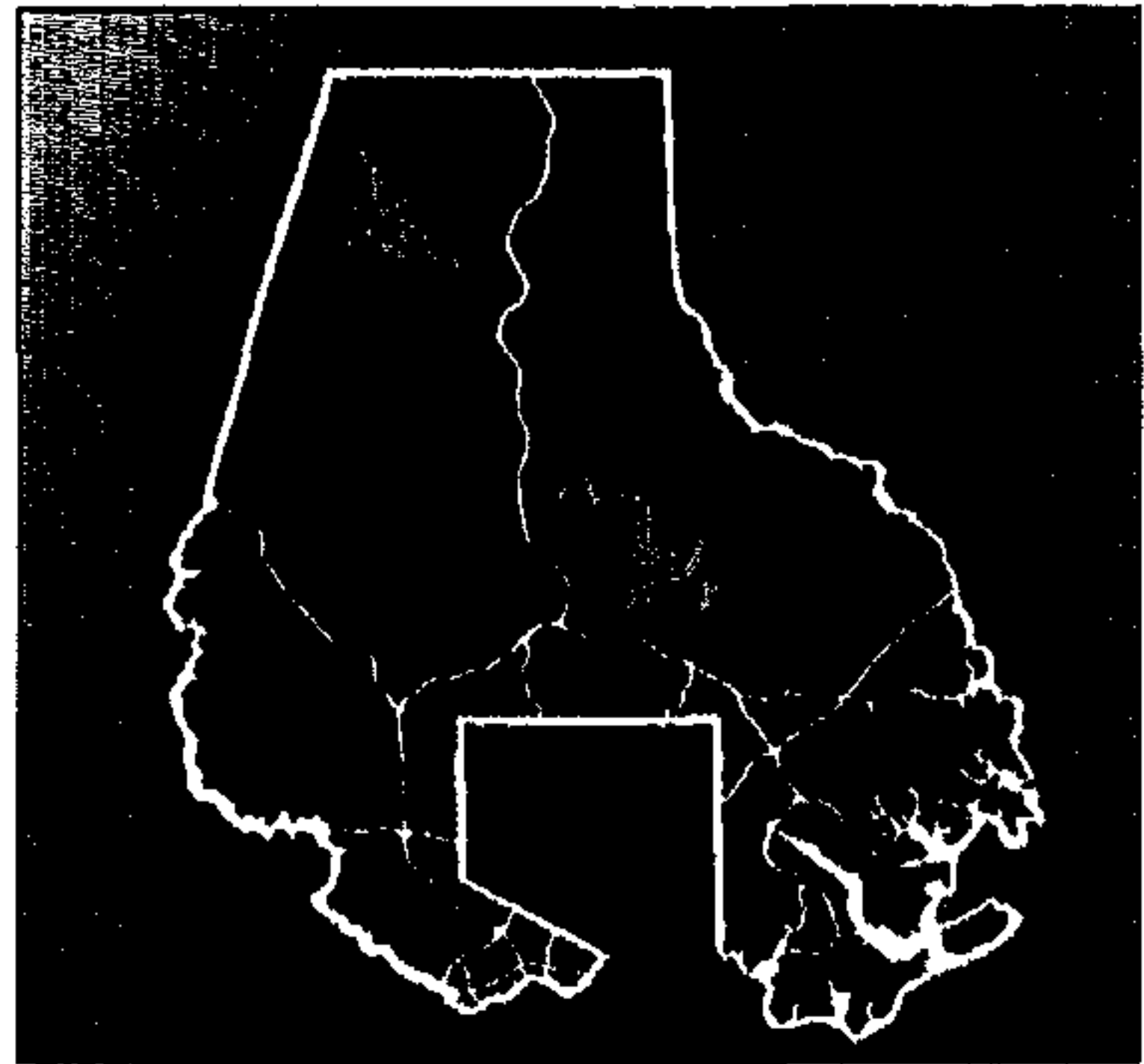
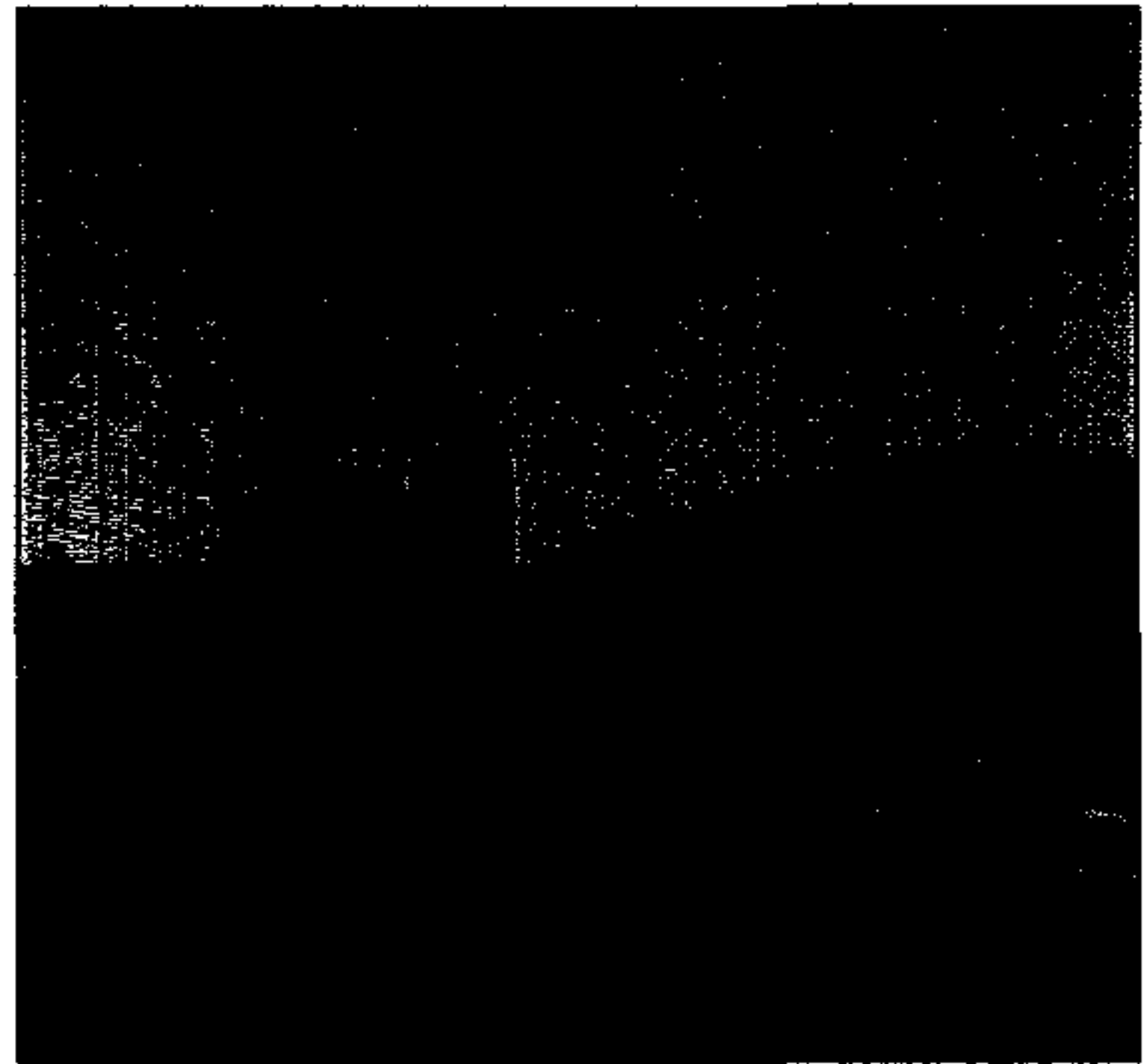
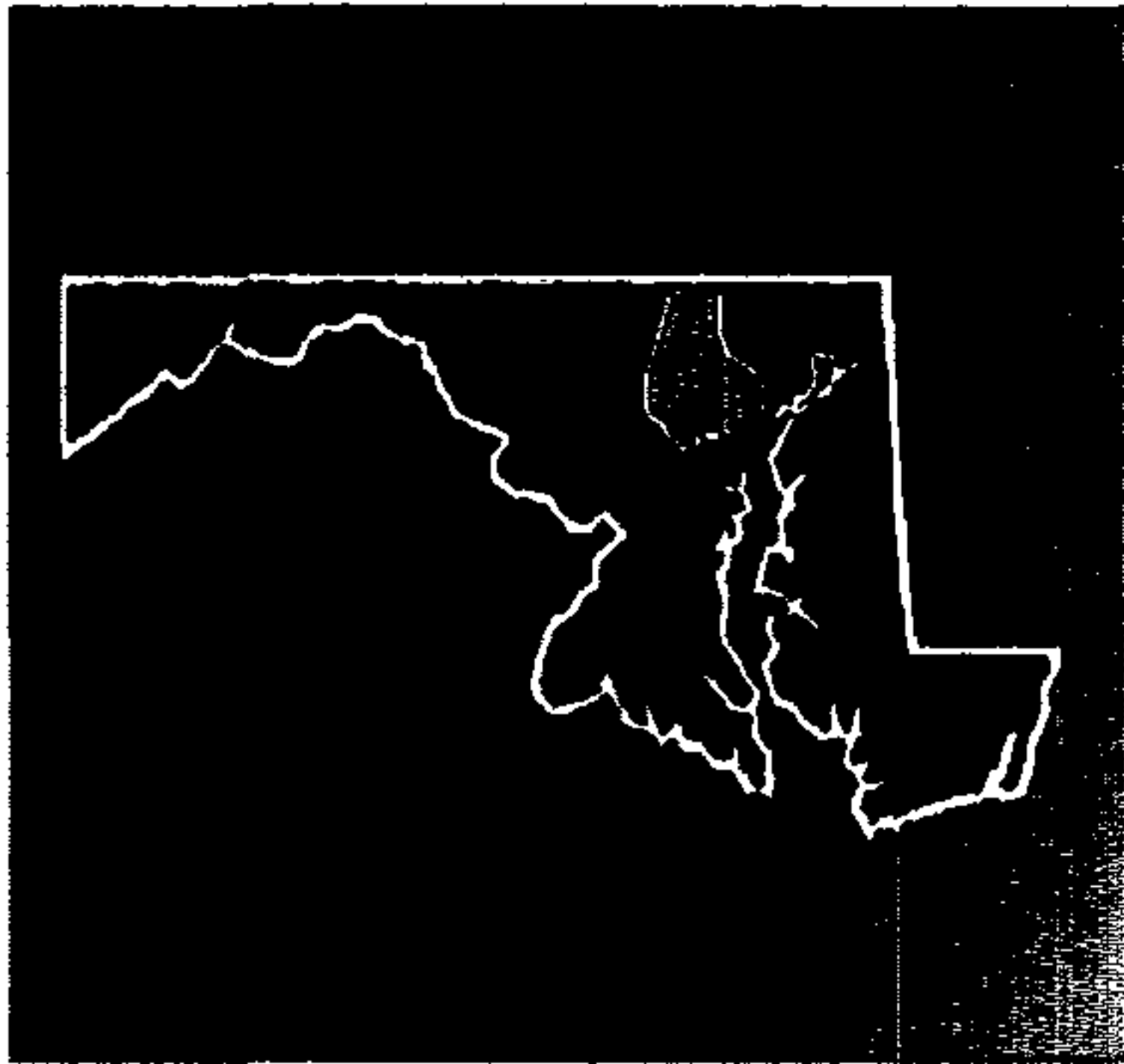
County No 7

Jan M. Cook
Engineer Associate II
410-887-3807
e-mail: jmcook@co.ba.md.us

PG No 3

MASTER PLAN 2010

BALTIMORE COUNTY, MARYLAND



AS ADOPTED BY BALTIMORE COUNTY COUNCIL

FEBRUARY 22, 2000

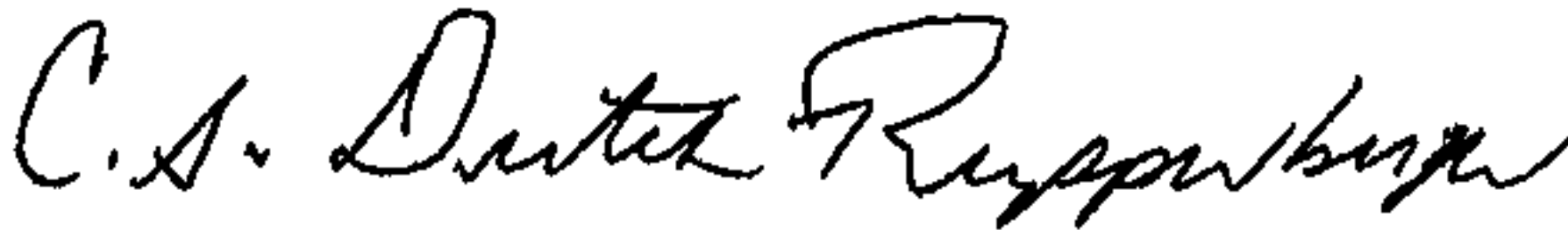
A MESSAGE ...
FROM THE BALTIMORE COUNTY EXECUTIVE
AND
THE BALTIMORE COUNTY COUNCIL

Master Plan 2010 is Baltimore County's overall plan for development for the next decade. It is a guide for the protection of our rural areas and the revitalization of our established neighborhoods. It sets forth our collective vision of the goals we must reach to keep our communities safe, attractive and vibrant.

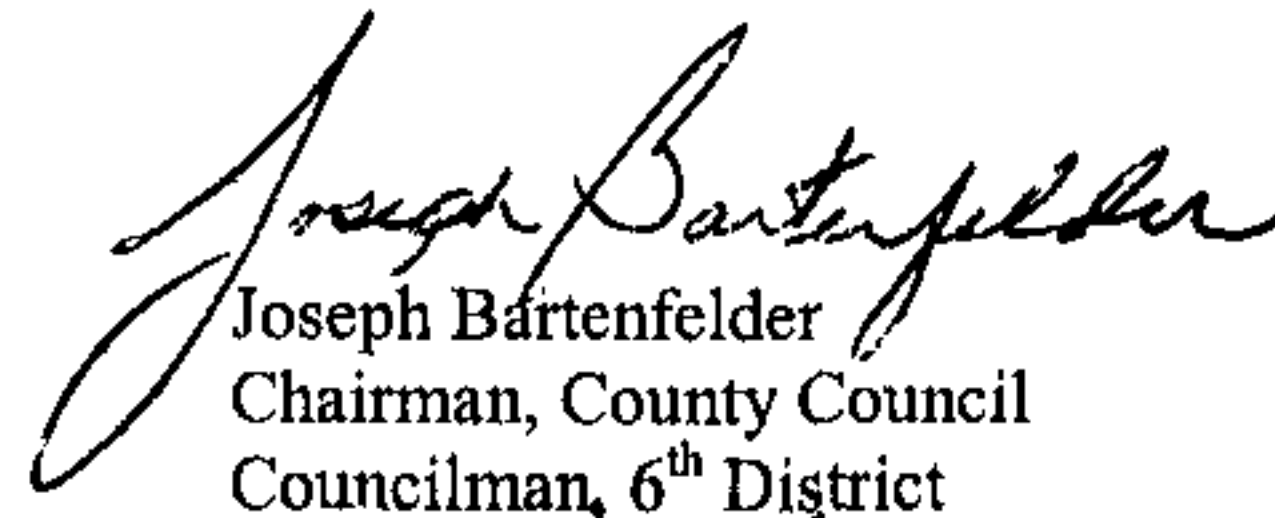
The citizens of Baltimore County played a major role in the development of this document, through advisory groups, town meetings, and public hearings. Their collective voice is expressed throughout the plan. *Master Plan 2010* also includes nearly thirty local community plans that have been developed by local communities and adopted by the County Council during the last ten years.

Master Plan 2010 is a comprehensive vision of our desired future in Baltimore County. With its adoption, Baltimore County has reaffirmed its belief that growth must be balanced and orderly. This Plan continues to express the philosophy that we should preserve rural farmland, landscapes, and open spaces, while reinvesting in urban areas and focusing growth on designated growth areas with planned infrastructure.

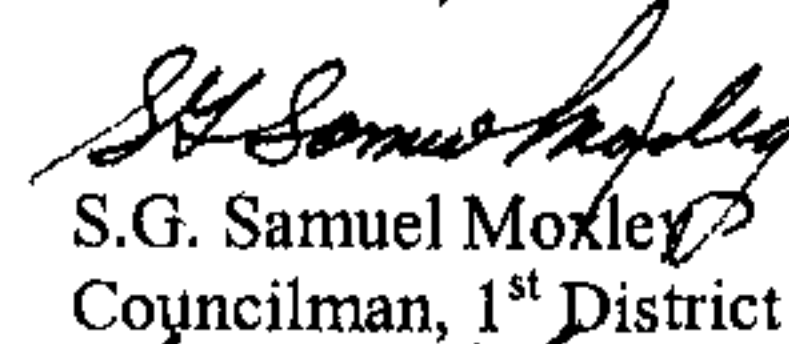
We appreciate the tremendous effort by citizens, volunteers, and staff that has been put into creating *Master Plan 2010*. By continuing to work together toward the goals outlined in this Master Plan, we will ensure a bright and prosperous future for Baltimore County and all those who live and work here.



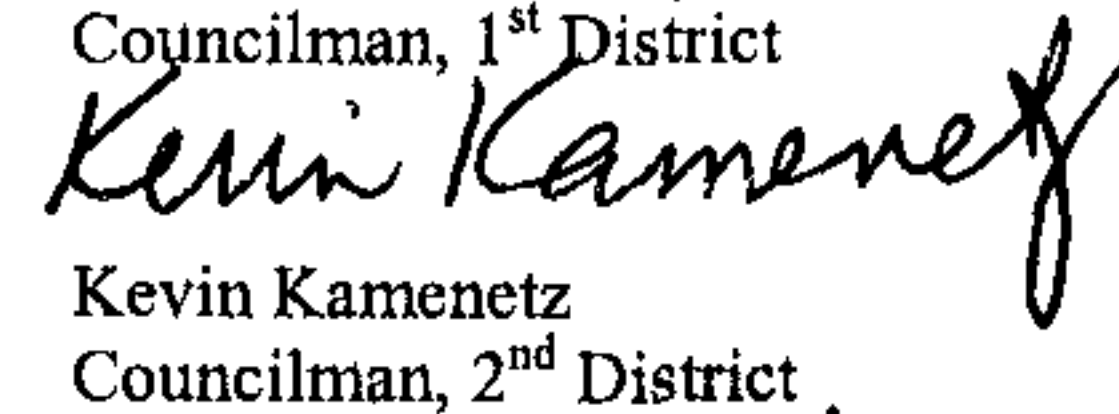
C.A. Dutch Ruppersberger
County Executive



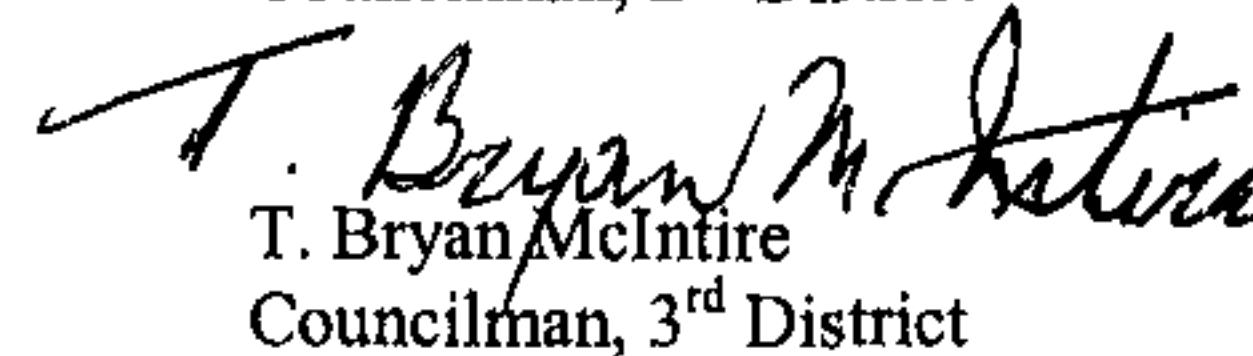
Joseph Bartenfelder
Chairman, County Council
Councilman, 6th District



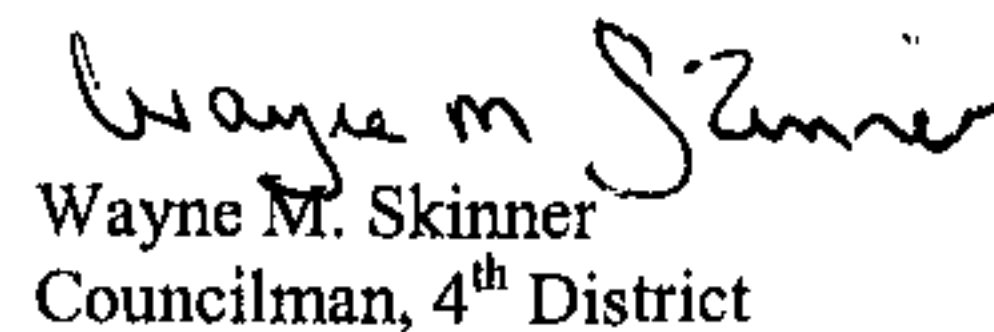
S.G. Samuel Moxley
Councilman, 1st District



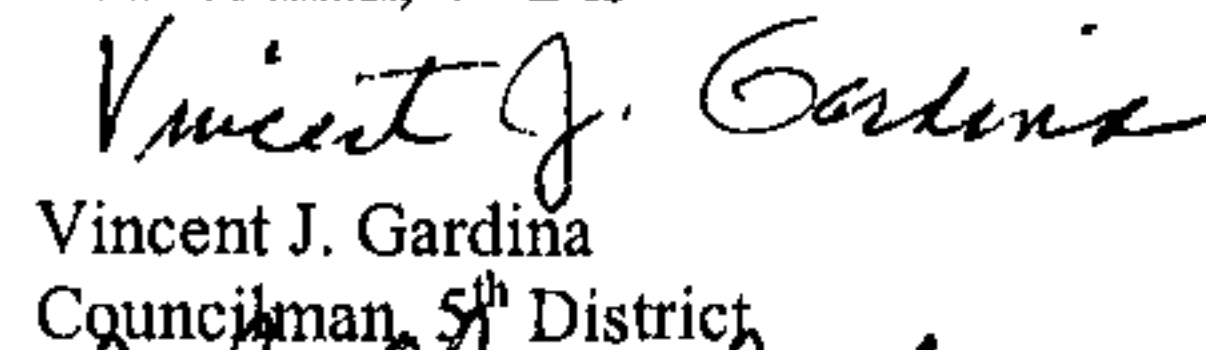
Kevin Kamenetz
Councilman, 2nd District



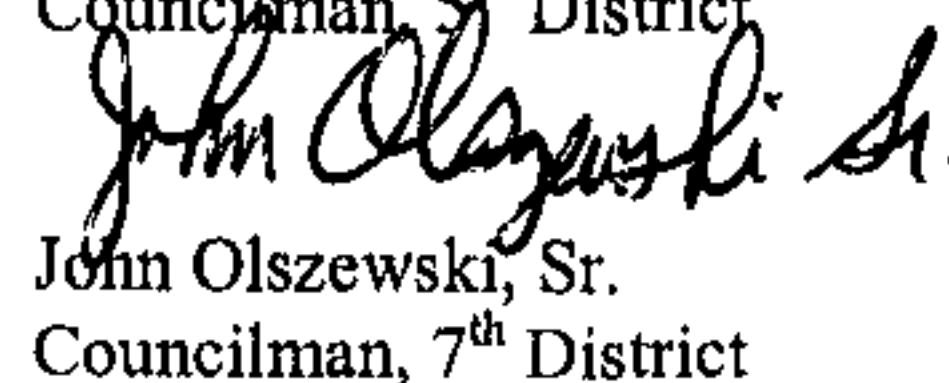
T. Bryan McIntire
Councilman, 3rd District



Wayne M. Skinner
Councilman, 4th District



Vincent J. Gardina
Councilman, 5th District



John Olszewski, Sr.
Councilman, 7th District



A SAFE, PROSPEROUS AND

DIVERSE URBAN AND

RURAL COMMUNITY

PROMOTING EDUCATION

AND RESPONSIBILITY,

SPANNING GENERATIONS

AND EVOKING PRIDE IN

THOSE WHO LIVE AND

WORK HERE"



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PART 1: INTRODUCTION



The Baltimore County Charter requires that a master plan be adopted or updated every ten years. The purpose of the master plan is to guide the development of the county. A master plan envisions a desirable future, and charts a course of action. *Master Plan 2010* examines the policies and strategies that have guided past development of the county, and reassesses them in light of present and projected conditions.

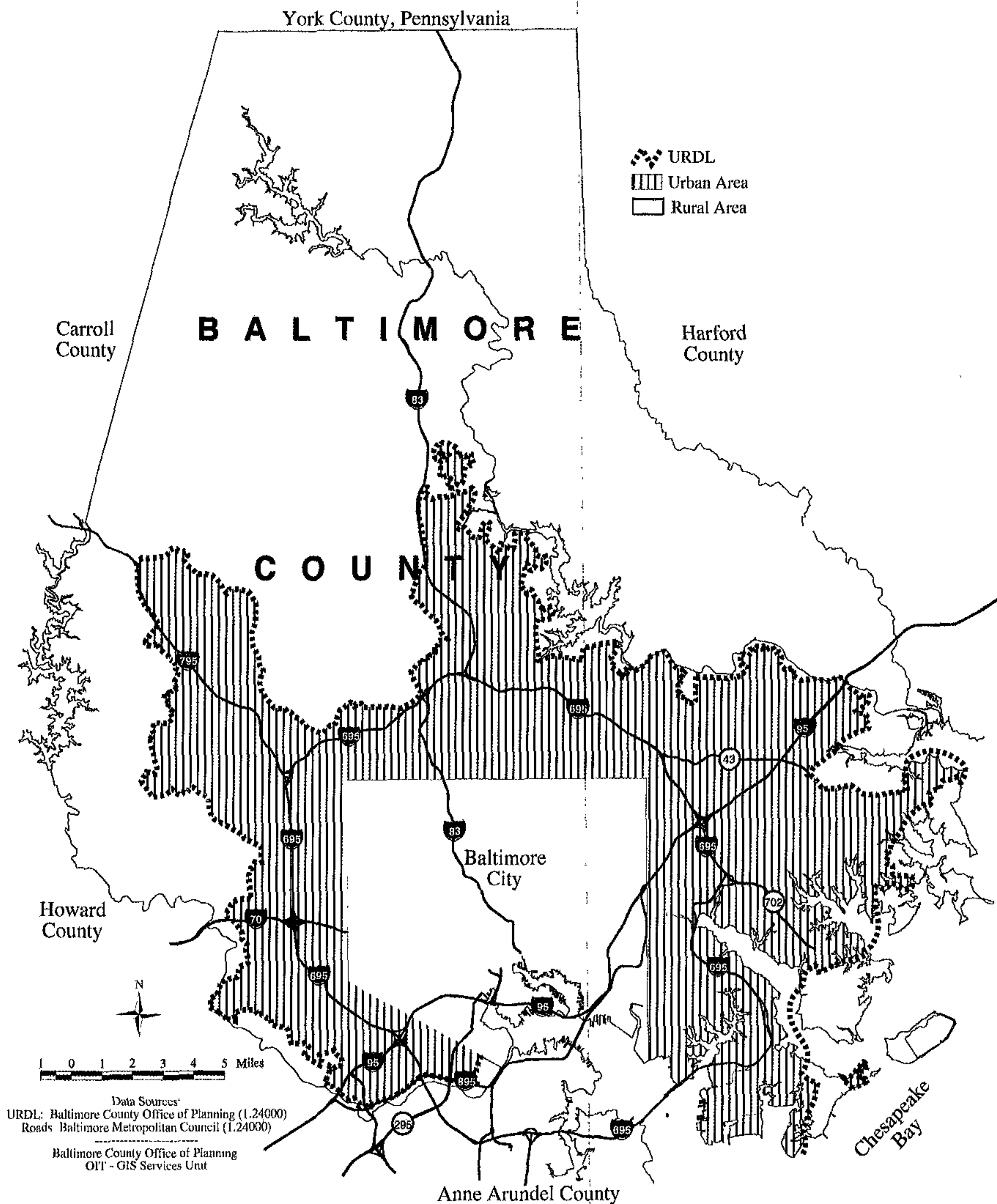
PRIOR PLANNING

Each successive master plan adopted by Baltimore County has built upon previous work. Central to the way that the county has developed is the concept of delineating two distinct land management areas — the urban area and the rural area. This concept manages growth in a manner that preserves important natural and agricultural resources and maximizes the efficiency of county revenues spent on transportation improvements, utilities, and other capital projects. An urban rural demarcation line (URDL) was established in 1967 (Map 1). The urban areas of the county were those that had or would receive public water and sewer infrastructure, and therefore would accommodate development, including employment, retail, and residential uses. In the rural areas, reliance on private well and septic systems would limit the amount of development that could be accommodated, and thereby help ensure the area's continued use for agricultural and natural resource protection and low density rural residential uses.

The 1972 master plan (titled *1980 Guideplan for Baltimore County, Maryland*) was the first formal master plan adopted by the county. Between 1960 and 1970, the county's population grew from 492,428 to 621,077. The plan projected that by 1980 the population would increase to 740,000. Its philosophy was to accommodate growth and development in an orderly, environmentally sensitive manner with adequate open space.

The *Baltimore County Comprehensive Plan, 1975* and the *Baltimore County, Master Plan 1979-1990* reorganized land use and development planning into a comprehensive growth management program. These plans created the current land use framework. Their philosophy was to modify the county's land use policy to reduce inefficient low density suburban

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AND THE RURAL
AREA.*



MAP 1
 URBAN RURAL DEMARCATION LINE (URDL)

development. The 1975 plan established urban and rural zoning. Two growth areas — Owings Mills and Perry Hall-White Marsh — were created by the 1979 plan. Future development was to be directed to these areas, thereby preserving agriculture and watershed land in other areas of the county.



The *Baltimore County Master Plan 1989-2000* created specific management areas and policies that included growth areas, urban centers, community conservation areas, employment areas, and several kinds of rural management areas. Community conservation areas consisted of the county's established residential and commercial areas. Within the urban areas, the policies balanced county efforts between growth areas and community conservation areas, with an overall philosophy of enhancing the quality of development. In the rural areas, policies reaffirmed the county's commitment to agricultural and natural resource protection, while providing some areas for low density rural residential growth.

MASTER PLAN 2010

As the twentieth century draws to a close, Baltimore County is facing challenges and opportunities unique in its history. The growth management policies launched with the creation of the URDL have been refined over the years and are now in their final phases of implementation. Baltimore County continues to evolve and change, and as such must identify and address the land use challenges of the next decade with greater sophistication. Preserving and enhancing the quality of life is a priority for the entire county.

Traditionally, master plans only address issues directly related to land use. In fact, this is the role of the master plan as envisioned by the framers of the County Charter. The plan is intended to serve as a reference document which the County Council may use when exercising its authority to establish land use policy through the adoption of zoning maps and zoning ordinances. However, traditional master plan issues — those which directly affect the use of the county's land, such as transportation, zoning, and recreation — have changed substantially. A more comprehensive approach, one which addresses issues that go beyond zoning, but nevertheless affect land use, is helpful.

**MASTER PLAN 2010
TAKES A
COMPREHENSIVE
APPROACH,
ADDRESSING A
VARIETY OF ISSUES
WHICH AFFECT LAND
USE.**



Master Plan 2010 adopts this approach by recognizing the interdependence of traditional land use issues with nontraditional master plan topics such as education, public safety, social services, economic development, and community stewardship. However, discussion of these nontraditional issues in this master plan is intended only as additional guidance for the County Council when it acts to establish land use policy.

The urban portion of Baltimore County is not unlike many maturing areas in the United States whose growth took place in the immediate post-World War II building boom. Buildings, facilities, and infrastructure in most of the communities adjacent to the Baltimore County-Baltimore City Line are 50 years old. Infrastructure in these areas is also reaching the end of its “life expectancy” and is in need of repair or replacement. Much has been done to address these needs over the past decade, and *Master Plan 2010* recognizes that Baltimore County’s sustained prosperity will require continued significant reinvestment in its urban areas.

Baltimore County has more than a twenty-year history of implementing many of the concepts of the Smart Growth program. Within the URDL, traditional growth is slowing as the designated growth areas and remaining infill sites become fully developed. Mechanisms are needed to ensure that future development inside the URDL will conserve and enhance existing communities and businesses, while providing needed services and housing. The future development of the county’s urban areas must provide a balance between the built environment and the provision or redevelopment of passive and active open space and other amenities.

**REFLECTING
NATIONAL TRENDS,
SHIFTS ARE
OCCURRING IN THE
COMPOSITION OF
BALTIMORE COUNTY’S
POPULATION.**

Reflecting national trends, shifts are occurring in the composition of Baltimore County’s population. The percentage of senior citizens living in the county doubled between 1970 and 1997; another 0.6 percent increase is projected from 2000 through 2010. To accommodate the county’s senior population, a wide range of alternative housing and transportation options is being considered to address their unique needs.

Multi-family housing and the communities where they are located are another major challenge being faced by the county. Multi-family housing represents slightly less than one quarter of the county’s housing stock, while representing a good percentage of its affordable housing stock. Most low to moderate income residents are concentrated within 16% of all county census tracts.

Baltimore County will continue to explore methods of bringing needed services to these communities, particularly social services, educational remediation, adult basic education, preventive health services, and recreation. Efforts and resources must also continue to be focused on communities adjacent to multi-family housing in order to protect property values and stabilize community institutions.



Aggressive economic development initiatives that generate and retain family supporting jobs will be required. Measures will need to be undertaken to preserve an adequate supply of land for job creation, develop a trained and skilled workforce, and revitalize our aging commercial centers. Maintaining a healthy, strong tax base will ensure that adequate jobs and services are provided to county residents.

Baltimore County's rural areas continue to face development pressure. While approximately 30,000 acres of land have been preserved for agricultural use, the goal of preserving 80,000 acres is still being threatened by traditional suburban development. *Master Plan 2010* explores new concepts for achieving preservation goals, protecting natural resources, and maintaining rural character. Within the rural area, innovative mechanisms to ensure the protection of the county's agriculture industry and sensitive environmental areas are required; a rural strategy that goes beyond zoning (utilizing mechanisms such as land trusts and easements) needs to be considered. The rural area will not receive the same level of services and infrastructure as the urban area. The use of development rights purchases to compensate property owners for the loss of density should be investigated. A pattern of development that blends in with the rural area also needs to be developed.

Master Plan 2010 continues to endorse Baltimore County's previous growth management policies, and the document has been designed to emphasize the county's urban-rural distinctions while still recognizing its cohesiveness. Urban and rural land uses reinforce each other. By preserving the rural areas, rather than permitting continued sprawl, the county can commit its fiscal resources to the improvement of its urban areas. The knowledge that resources will be directed to existing urban neighborhoods should bolster county residents' confidence in the continued viability of their communities.



Master Plan 2010 explores new concepts for achieving preservation goals, protecting natural resources, and maintaining rural character.

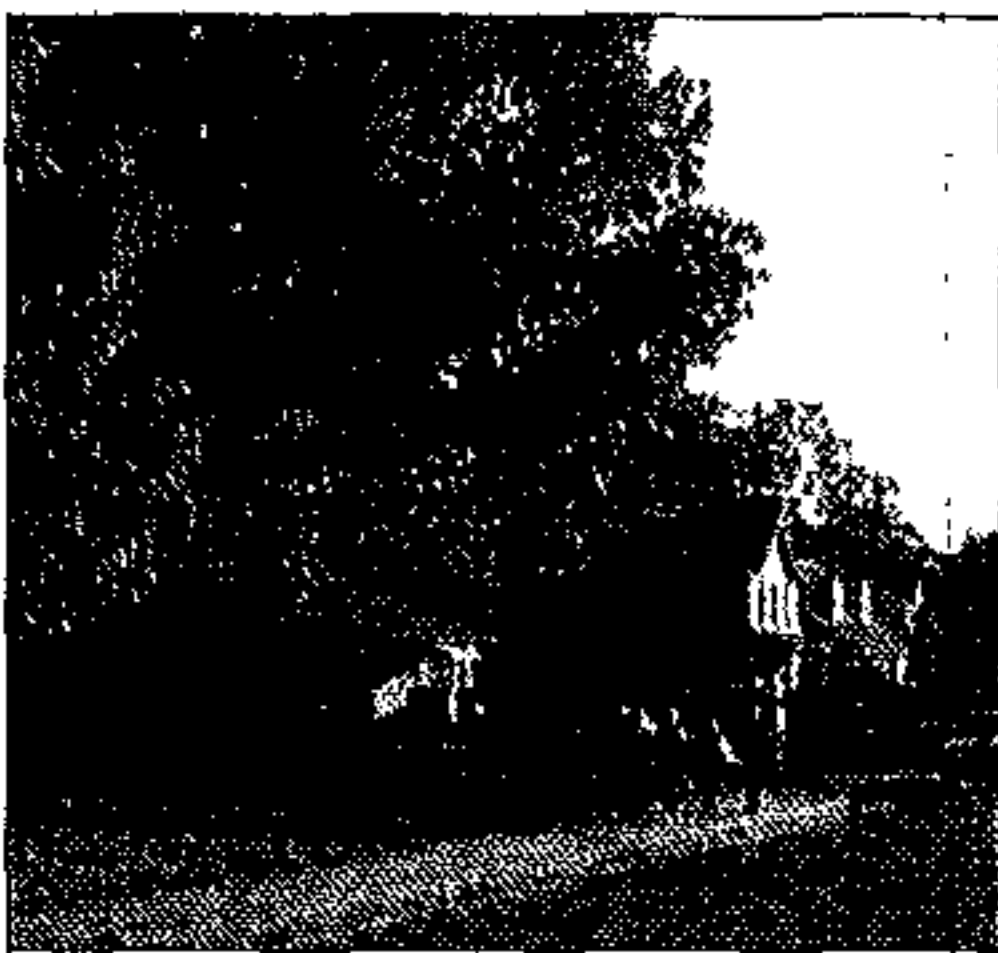


In sum, while the county is strong and thriving, *Master Plan 2010* also recognizes the need to address the opportunities presented by a maturing county, opportunities to ensure that the entire county continues to function as a community that provides high quality living standards and opportunities for its diverse citizenry.

The orderly development of the Baltimore County community is not a static process. It is subject to the social and economic changes which will naturally occur during the ten-year life of the master plan. The policy decisions of the County Council, which are expressed through its law-making power, are the means to address the county's evolving needs. The statements of *Master Plan 2010* are intended to guide the Council in this role.

Public safety, education, economic development, community conservation, rural preservation, the natural environment, recreation and parks, historic preservation, equal opportunity, and community stewardship are all intertwined in making communities, and thus the county, successful. Among the goals of the county are:

- **Continue to protect citizens from crime in their homes and communities.** Crime prevention, sophisticated computer and mapping resources for crime analysis and investigation, inter-jurisdictional cooperation, and community-based policing are measures that help reduce crime and provide a safe environment.
- **Continue to make the quality of public education a top priority.** A well-rounded education is essential for meeting the challenges of a rapidly changing society, and good schools are tremendously important to sustaining viable communities.
- **Develop and retain a skilled work force.** Computerization and telecommunications are changing the nature of employment, creating a strong demand for workers who are both technically skilled and adaptable.
- **Ensure an adequate supply of jobs providing family-supporting wages** by addressing the critical needs of employers. These needs include an adequate supply of properly zoned, utility-served land.
- **Preserve the county's significant investment in its established communities** by reinvesting resources to maintain all aspects of community life. Conserve and enhance the character of the county's established residential neighborhoods and improve the housing stock. Protecting the county's rural resources will aid this effort by curtailing new infrastructure expenditures.



The county will conserve and enhance the character of the county's established residential neighborhoods and improve the housing stock.

- **Maintain the URDL** and enact stronger measures for preserving rural land uses, retaining the agriculture industry, and protecting the county's natural resources.
- **Ensure that new development and redevelopment is of high quality and compatible with its surroundings.**
- **Continue to recognize citizens** in need of assistance and improve their ability to access county services and gain self-sufficiency.
- **Ensure that all residents have access to opportunities** that increase their employability in jobs that provide family supporting wages and provide accessible transportation opportunities to employment centers.
- **Continue to safeguard environmental resources**, particularly in watershed areas.
- **Provide quality parks and recreation opportunities** for all citizens.
- **Promote the identification, protection, and restoration of historic resources.**
- **Encourage community stewardship and personal responsibility** as key components of a smoothly functioning community.
- **Continue public-private partnerships** to meet county goals.



THE MASTER PLAN 2010 PROCESS

On January 23, 1997, the Office of Planning held a kick-off meeting for the county's master plan process. Over 160 community, government, and business representatives attended the presentation. Staff presented the work schedule, the function of the advisory groups to be formed, and some of the master plan issues facing the county:

- managing regional and local growth;
- maintaining and stabilizing residential neighborhoods;
- redeveloping commercial and industrial sites;
- completing infrastructure requirements in the growth areas;
- maintaining compliance with Smart Growth and related state mandates; and
- strengthening and improving schools with regard to physical plant and curriculum to attract/maintain homeowners.

During the spring of 1997, ten advisory groups of interested citizens were formed. Their purpose was to discuss and debate specified subjects to ascertain the issues that needed to be addressed and to formulate specific proposed actions. These groups focused on the following areas: commercial



The county will ensure that new development and redevelopment is of high quality and compatible with its surroundings.



corridors, community conservation, employment centers/growth areas, rural areas, transportation, historic preservation, waterfront, Owings Mills, Perry Hall-White Marsh, and Towson. During the summer of 1997, planning staff prepared the *Master Plan 2010 Town Meeting Discussion Paper*. This paper proposed the philosophy, ideas, and general direction of the master plan resulting from advisory group and county agency recommendations. A series of town meetings were held in each of the seven council districts during the month of October. The town meetings were an opportunity for the public to comment on the direction the master plan was taking and to bring forth ideas and concerns. *Draft Master Plan 2010* was prepared and distributed for public review in October 1998. The draft plan was the subject of a public hearing by the Baltimore County Planning Board at which public comment was offered for the Board's consideration. In October of 1999, the Planning Board submitted the plan to the County Council for its review. The County Council held a public hearing on the plan on November 9, 1999.

The master plan is traditionally updated every four years, before the Comprehensive Zoning Map Process (CZMP). This timing helps to ensure that the master plan remains a "living document," relevant and valid as a guide to development in the county and responsive to the concerns and wishes of its citizens.

THE ROLE OF THE MASTER PLAN

The County Executive and the County Council have recognized the master plan as an important advisory tool for ensuring that the growth of Baltimore County is managed in an orderly and rational manner. Many of the activities of government encourage conformance with the master plan, such as the capital improvement program, the water and sewer master plan, and the various zoning map processes.

Maryland law requires, under Article 66B, Section 7.03, that certain elements and visions be included in the master plan. Those elements are listed in Article 66B, Section 3.05(a) and (b) and Section 3.06(b). State law requires that county plans implement and establish policies based on the following "Seven Visions":

1. Development is concentrated in suitable areas.
2. Sensitive areas are protected.

**TOWN MEETINGS
PROVIDED AN
OPPORTUNITY FOR
THE PUBLIC TO
COMMENT ON THE
DIRECTION OF THE
MASTER PLAN AND TO
BRING FORTH IDEAS
AND CONCERNS.**



3. In rural areas, growth is directed to existing population centers and resource areas are protected.
4. Stewardship of the Chesapeake Bay and the land is a universal ethic.
5. Conservation of resources, including a reduction in resource consumption, is practiced.
6. To assure the achievement of one through five above, economic growth is encouraged and regulatory mechanisms are streamlined.
7. Funding mechanisms are addressed to achieve these visions.

This master plan includes those required elements and visions, and it serves to provide goals, objectives, principles, policies, and standards that are a guide for the development of Baltimore County.

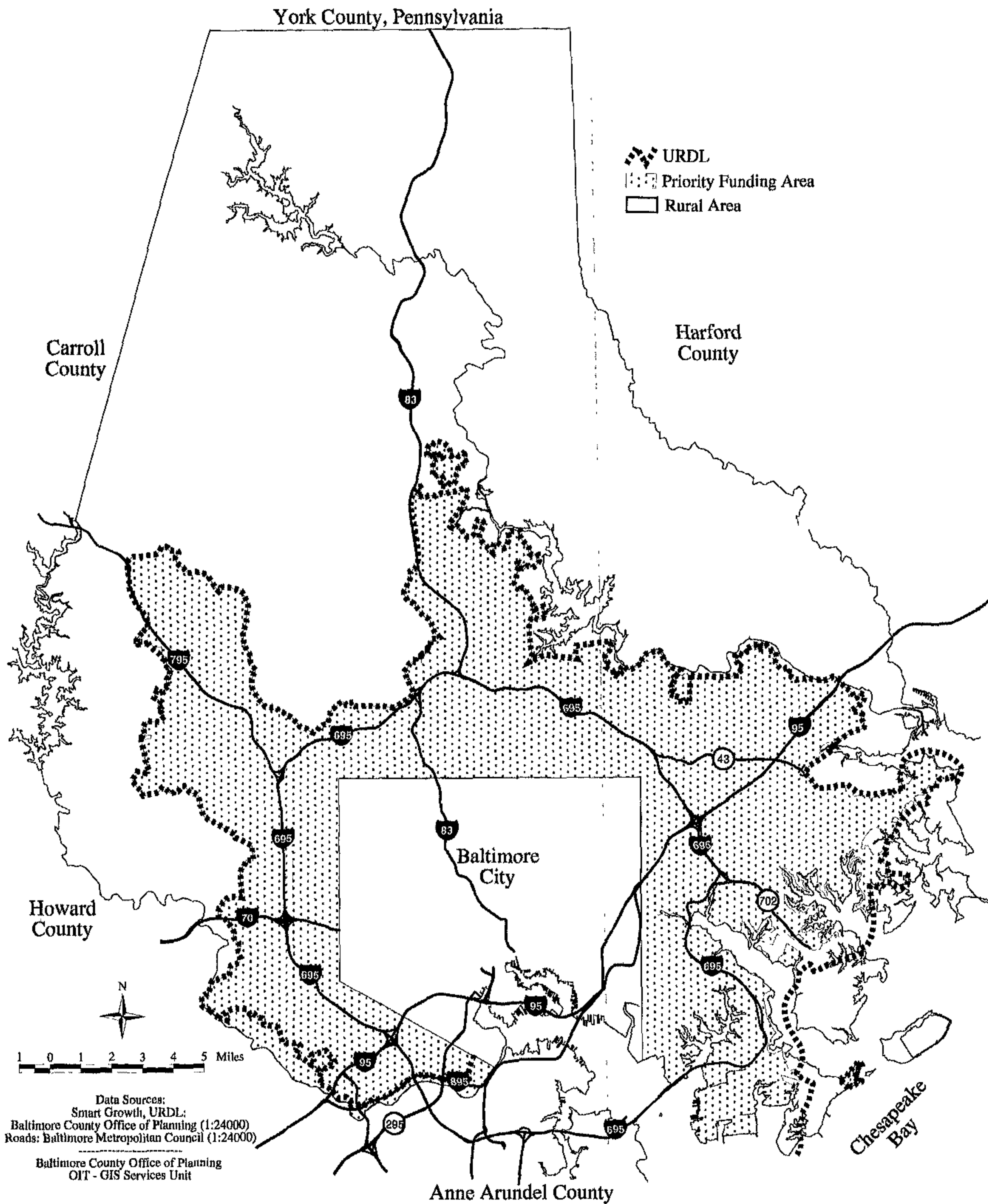
The master plan also provides guidance in the development of community plans. Over the last ten years, 26 community plans and development strategies have been adopted as amendments to the current master plan. They serve as supplements and additions, making detailed recommendations for individual communities. *Master Plan 2010* provides recommendations for additional community plans to be undertaken in the next ten years.

An important part of the county's land use regulations is zoning. It consists of the regulatory text, known as *the Baltimore County Zoning Regulations*, and the "Baltimore County Zoning Map." Amending the zoning text or map can change zoning. All zoning text changes and most zoning map changes are made through the adoption of a County Council ordinance. While text amendments are initiated from time to time as deemed necessary, the zoning map is most often amended through the formal CZMP, which occurs at regular four-year intervals. During the tenure of *Master Plan 2010*, Baltimore County will conduct a CZMP in the years 2000, 2004, and 2008. The zoning text and map always take legal precedence over master plan recommendations, guidelines, and maps.

*THIS MASTER PLAN
INCLUDES THE
REQUIRED ELEMENTS
OF THE STATE'S
"SEVEN VISIONS."*

SMART GROWTH

In 1997, additional state legislation enacted the Smart Growth and the Rural Legacy programs and established priorities for state spending in an effort to preserve existing neighborhoods as well as agricultural, natural, and rural resources. Baltimore County's established planning policies, which *Master Plan 2010* continues to endorse, are consistent with Smart Growth initiatives. Statewide Smart Growth initiatives will augment the county's



MAP 2
SMART GROWTH

efforts to enhance the local economy, conserve established communities, and preserve rural areas. The designation of Priority Funding Areas provides an opportunity for the state and Baltimore County jointly to encourage and support economic growth and community conservation. The Rural Legacy Program will assist the county in its efforts to preserve agricultural, historic, scenic, and cultural resources, and provide opportunities to acquire parkland. Pursuant to the 1997 state law, Baltimore County has identified its Priority Funding Areas (Map 2). These areas fall within the URDL and as such either receive or are planned to receive water and sewer service. The county's rural preservation program areas are shown on Map 36.



PART 2: DEMOGRAPHIC PROFILE



INTRODUCTION

The basic demography of Baltimore County has changed from predominately rural to an urban-rural mix. About 90% of the county's population lives within the URDL while the remaining 10% resides in the rural areas. Within the county's 640 square miles are situated 31 regional planning districts that correspond to identifiable but unincorporated communities (Map 3).

The United States Census Bureau conducts the national census every ten years. The next census will be conducted in the year 2000. Baltimore County's ten-year master plan adoption cycle occurs just prior to the availability of the most current census data. The adoption cycle for the master plan could be adjusted to take advantage of the most accurate census data available. The County Council may wish to consider amending the master plan in 2002 after the next census is completed and then adopting a plan every ten years thereafter.

POPULATION CHARACTERISTICS

POPULATION

Baltimore County's population, as estimated for July 1, 1998, is 725,780 (Table 1). The county's population has been growing significantly since

Table 1. Number of Persons and Percent Change, 1950 - 2010
Baltimore County and Baltimore Region

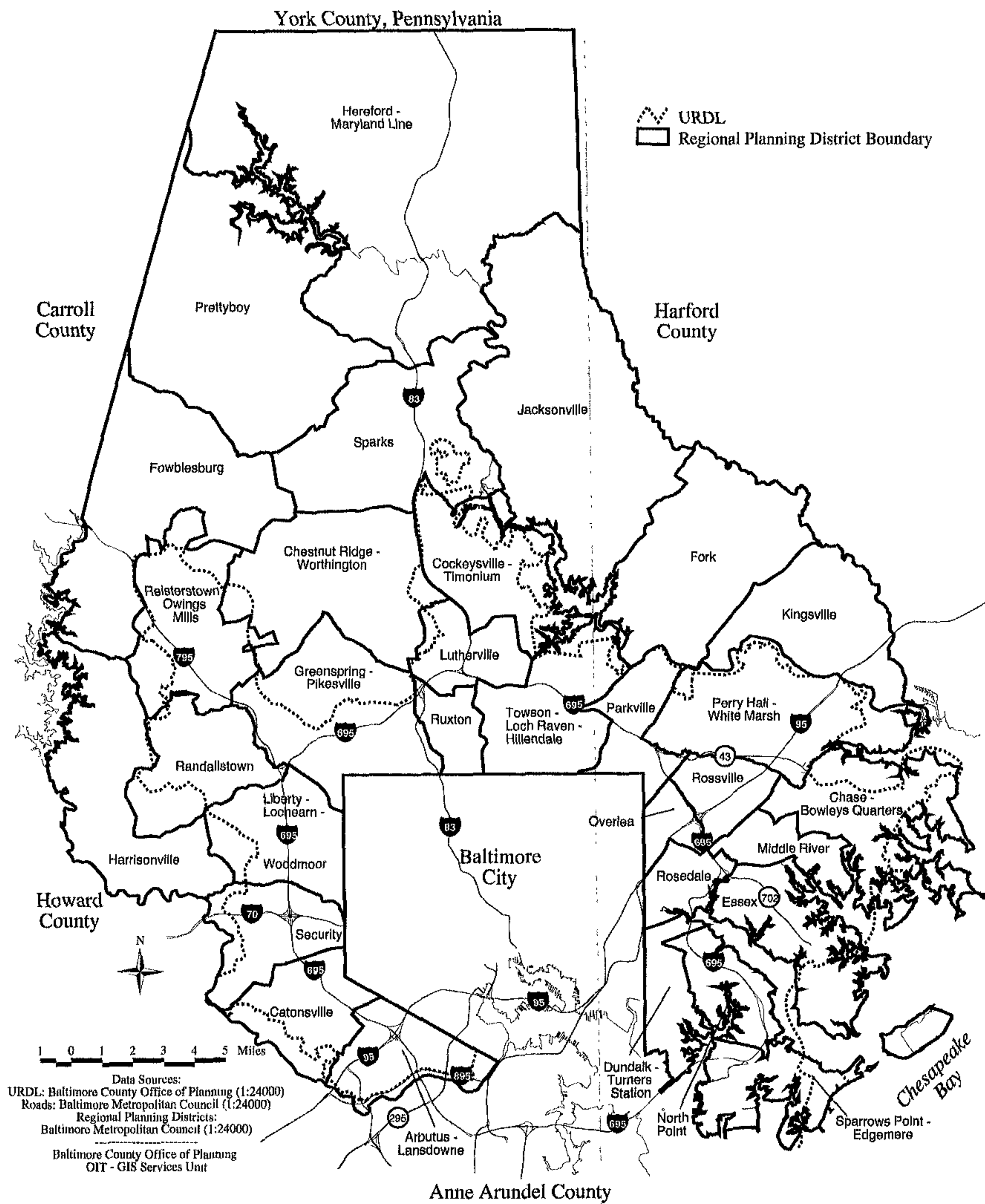
Number of Persons

	1950	1960	1970	1980	1990	1998	2000	2010
County	270,273	492,428	621,077	655,615	692,134	725,780	732,700	755,000
Region	1,457,181	1,803,745	2,070,670	2,174,023	2,348,219	2,495,260	2,534,100	2,666,600
County's Percent Share of Region	18.5%	27.3%	30.0%	30.2%	29.5%	29.1%	28.9%	28.3%

Percent Change

	1950-1960	1960-1970	1970-1980	1980-1990	1990-1998	1990-2000	2000-2010
County	82.2%	26.1%	5.6%	5.6%	4.9%	5.9%	3.0%
Region	23.8%	14.8%	5.0%	8.0%	6.3%	7.9%	5.2%

Sources: U.S. Census Bureau: 1970, 1980, and 1990 Census of Population; Baltimore Metropolitan Council Round 5A Population Forecasts for the Baltimore Region.



MAP 3 REGIONAL PLANNING DISTRICTS



1950, increasing by 455,507 over the past 48 years. While the growth rates since 1970 have been lower than those of the 1950s and 1960s, reflecting the national trend, Baltimore County's population has increased tremendously with relatively steady growth rates. The county is projected to gain population at a 5.9% growth rate from 1990 to 2000, as compared to a 5.6% growth rate on a smaller base during the 1970s and 1980s. In 1994, Baltimore County's population surpassed Baltimore City's,¹ making the county the largest jurisdiction in the region² with slightly less than one third of the region's population. The Baltimore region is comprised of Baltimore City and Baltimore, Anne Arundel, Howard, Carroll, and Harford Counties. The county also has the third highest population of any political subdivision in the state of Maryland, behind only Montgomery and Prince George's Counties.

Within Baltimore County, the areas with the greatest population are: Towson-Loch Raven-Hillendale, Perry Hall-White Marsh, Liberty-Lochearn-Woodmoor, Essex, Dundalk-Turners Station, Reisterstown-Owings Mills, and Greenspring-Pikesville (Table 2). New population growth in Baltimore County is being directed toward two areas — Perry Hall-White Marsh to the east and Owings Mills to the west. Designated as growth areas in 1979, each of these town centers is adjacent to major transportation networks and has a regional shopping center. Perry Hall-White Marsh had an estimated population of 52,618 in July 1997 and is expected to grow to 64,201 by the year 2010. The Reisterstown-Owings Mills community had an estimated population of 40,162 in July 1997, and will have the highest concentration of high technology industry and young professionals in the county by the year 2000.

During the decade 2000-2010, the county will experience population growth. As Baltimore County's population continues to increase, other aspects of population, such as age structure, racial composition, household and family type, employment status, and income level are also changing.



Table 2. Population Estimate and Projections by Regional Planning District, 1997, 2000, and 2010
Baltimore County

RPD.#	Regional Planning Districts	1997	2000	2010
301	HEREFORD-MARYLAND LINE	12,576	12,640	12,709
302	PRETTYBOY	4,482	4,485	4,454
303	FOWBLESBURG	3,980	4,111	4,155
304	SPARKS	6,429	6,660	7,369
305	JACKSONVILLE	10,094	10,135	10,257
306	REISTERSTOWN-OWINGS MILLS	40,162	41,557	46,302
307	CHESTNUT RIDGE-WORTHINGTON	11,962	13,002	14,953
308	LUTHERVILLE	24,155	24,165	23,438
309	COCKEYSVILLE-TIMONIUM	24,250	24,299	24,051
310	FORK	7,003	7,106	7,465
311	HARRISONVILLE	4,517	4,761	5,143
312	RANDALLSTOWN	34,658	36,788	43,605
313	GREENSPRING-PIKESVILLE	36,363	37,279	39,149
314	RUXTON	4,757	4,777	4,598
315	HAMPTON-TOWSON-LOCH RAVEN	61,779	62,039	61,705
316	PARKVILLE	32,225	31,799	30,961
317	PERRY HALL-WHITE MARSH	52,618	55,301	64,201
318	KINGSVILLE	5,142	5,222	5,451
319	LIBERTY-LOCHEARN-WOODMOOR	51,997	52,179	51,670
320	OVERLEA	15,349	15,399	15,537
321	ROSSVILLE	10,872	11,798	14,886
322	CHASE-BOWLEY'S QUARTERS	17,807	18,006	17,955
323	SECURITY	35,231	35,308	34,711
324	CATONSVILLE	31,680	32,059	32,268
325	ARBUTUS-LANSDOWNE	35,212	35,171	34,282
326	ROSEDALE	10,937	10,822	10,635
327	MIDDLE RIVER	17,791	17,793	17,539
328	ESSEX	45,794	45,779	45,239
329	DUNDALK-TURNER'S-STATION	37,940	37,709	36,530
330	NORTH POINT	25,162	25,018	24,196
331	SPARROWS POINT-EDGEMERE	9,377	9,513	9,586
GRAND TOTAL		722,320	732,700	755,000

Source: Baltimore Metropolitan Council Round 5A Population Forecasts for the Baltimore Region, June, 1997.
Baltimore County building permits analysis and population estimations, prepared by Baltimore County
Office of Planning.

AGE STRUCTURE

The age pattern is a vital part of census analysis because many behaviors are age related. Certain areas may attract persons in a particular life stage, and this will result in a relatively constant age profile for the area from one decade to the next.

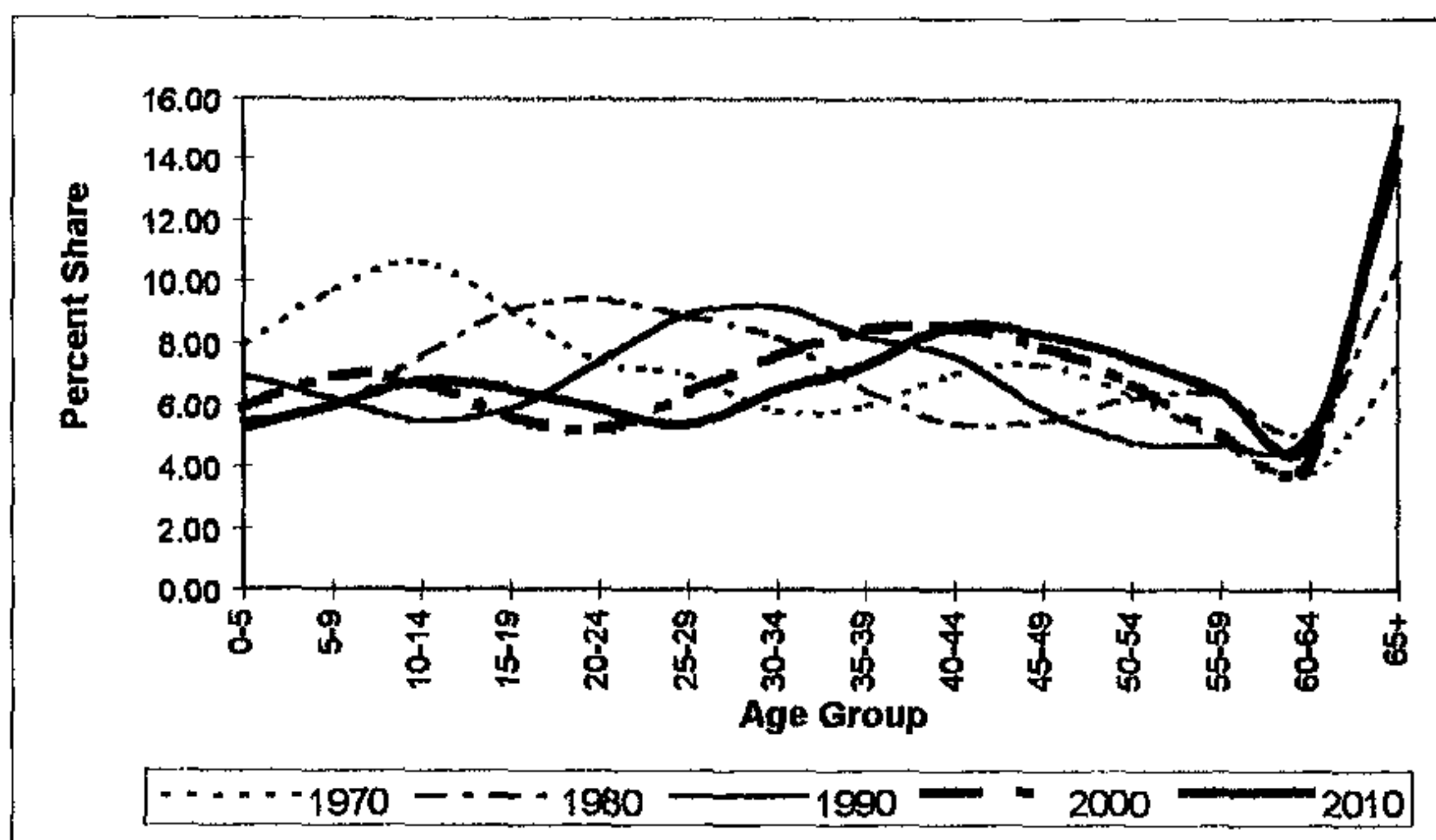
Paralleling the national trend of the "graying of America," Baltimore County has experienced an increase in the number of persons above age 65. The percentage of senior population in Baltimore County is increasing at such a

rate that by 2010, 15.6% of the county population will be senior citizens (Figure 1). Baltimore County is projected to have the highest percentage of senior population when compared with the other jurisdictions in the Baltimore region.³



Figure 1 displays the county's age distribution at five points in time. This figure indicates that there has been a distinct change since 1970. The peak age has shifted from 10-14 in 1970 to 30-34 in 1990, and is expected to move to about 40-44 by 2010. The median age also demonstrates the increase in age of the county's population (Table 3). In 1997, the county's median age was 36.9, which is eight years older than the median age in 1970.

Figure 1. Age Structure, 1970 - 2010
Baltimore County



Source: U.S. Census Bureau: 1970, 1980, and 1990 Census of Population; Maryland Office of Planning Population Projections by Age and Age Cohorts, July, 1997.

Table 3. Median Age and Percent Share of Elderly Population, 1970 - 2010
Baltimore County

	1970	1980	1990	1997	2000	2010
Median Age	28.9	32.3	35.2	36.9	—	—
65 Years Old and Over	7.4%	10.6%	14.0%	14.8%	15.0%	15.6%

Source: U.S. Census Bureau: 1970, 1980, and 1990 Census of Population; Maryland Office of Planning Population Projections by Age and Age Cohorts, July, 1997.



RACIAL COMPOSITION

Along with its population increase, Baltimore County has undergone a moderate change in racial composition (Table 4). The county's population is predominately white, and since 1970, the number of white residents has changed very little. The county's net population growth after 1970 is largely attributable to an increase in the population of racial minority groups.

HOUSEHOLD AND FAMILY TYPE

Table 5 shows that Baltimore County has experienced and will continue to experience a growth in the number of households at a rate exceeding population growth, although the rate of increase has declined since 1970. In addition, changes in family structure have caused the average number of persons per household to drop from 3.3 in 1970 to 2.6 in 1990.

The proportion of family households⁴ has decreased during the last three decades, and this trend is expected to continue through the 1990s and into the next century. The percentage of married couple families has also been decreasing, while the percentage of single and other non-family households has increased.

Table 4. Racial Composition, 1970 - 1994
Baltimore County



Number of Persons

	1970	1980	1990	1994
White	599,339	591,365	587,622	590,071
African-American	19,253	53,105	85,132	100,605
Other	2,484	11,145	19,380	21,214

Percent Share

	1970	1980	1990	1994
White	96.5%	90.2%	84.9%	82.9%
African-American	3.1%	8.1%	12.3%	14.1%
Other	0.4%	1.7%	2.8%	3.0%

Source: U.S. Census Bureau: 1970, 1980, 1990 Census of Population; Population Estimates by Race and Hispanic Origin, 1994 (released in 1997). Data prepared by Maryland Office of Planning.

Table 5. Number of Household and Household by Type, 1970 - 2010
Baltimore County

Number of Households

1970	1980	1990	1997	2000	2010
184,890	237,371	268,638	293,280	299,700	317,800

Percent Change

1970-1980	1980-1990	1990-1997	1990-2000	2000-2010
28.4%	13.2%	9.2%	11.6%	6.0%

Mean Household Size

1970	1980	1990	1997	2000	2010
3.30	2.70	2.6	2.43	2.39	2.31

	1970	1980	1990
Family Households	87.8%	76.0%	70.8%
Married Couple Families	79.1%	63.5%	56.4%
Male Householders	1.9%	2.6%	3.3%
Female Householders	6.8%	9.9%	11.1%
Non-Family Households	12.2%	24.0%	29.2%

Source: U.S. Census Bureau: 1970, 1980, and 1990 Census of Population; Baltimore Metropolitan Council Round 5A Population Forecasts for the Baltimore Region, June, 1997; Maryland Office of Planning Household Projections for Maryland Jurisdictions, July, 1997.



SOCIAL AND ECONOMIC CHARACTERISTICS

EMPLOYMENT STATUS

More people are employed in Baltimore County than in any other jurisdiction in the Baltimore region except Baltimore City (Table 6). County jobs accounted for 26.9% of the regional total in 1970. Baltimore County's diverse and expanding business base employed a total work force of 417,400 in 1997.

Baltimore County businesses have continued to experience job growth in the late 1990s, rebounding from the recession in the early 1990s (Figure 2). This trend is expected to continue into the first decade of the next century; by 2010, the county is projected to employ the largest workforce in the region.

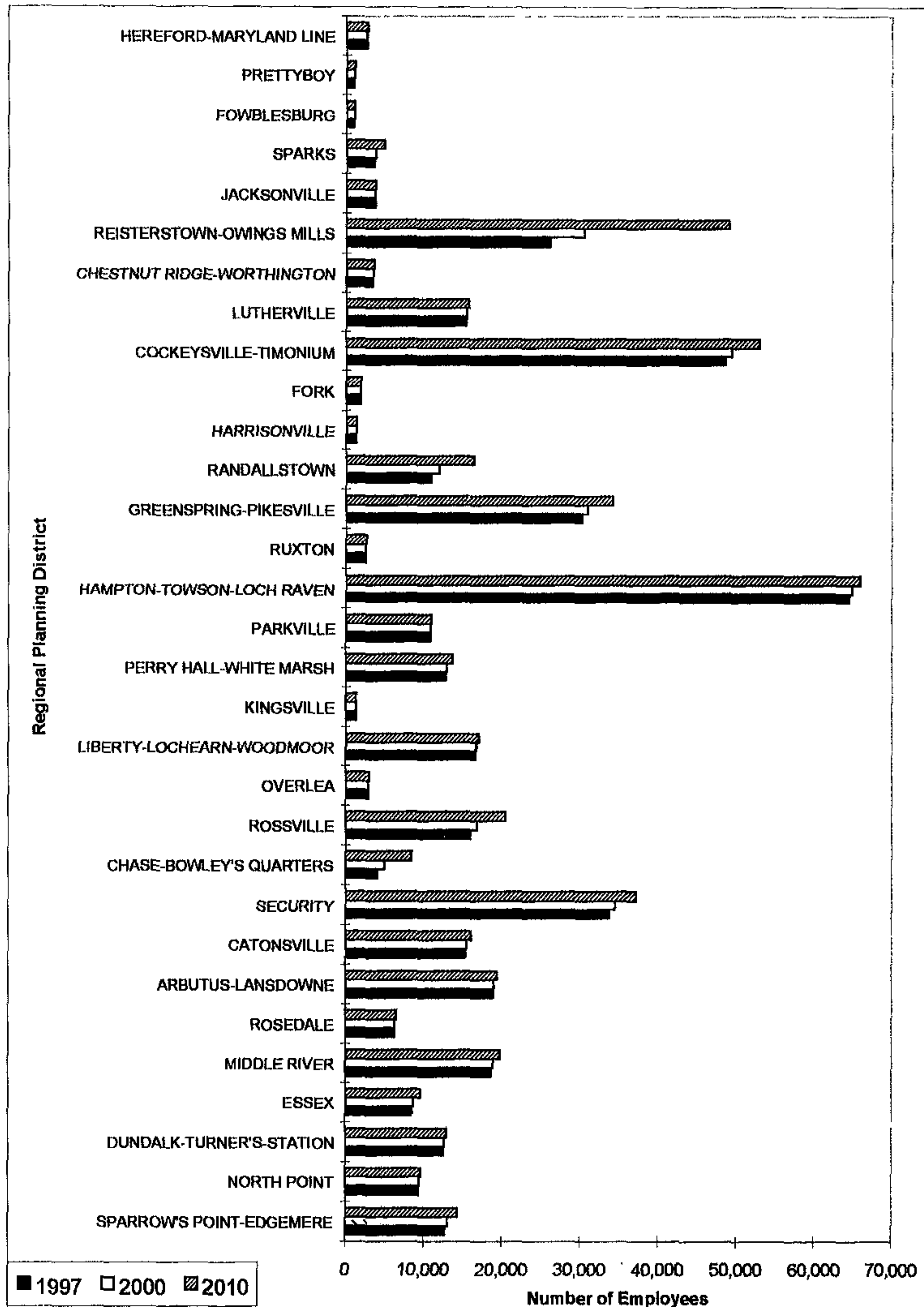
Table 6. Employment Trends, 1970 - 2010
Baltimore Metropolitan Counties

	1970			1980			1990		
	Employment	% Share	1970-1980 % Change	Employment	% Share	1980-1990 % Change	Employment	% Share	1990-1997 % Change
Baltimore City	407,039	50.0%	6.1%	431,981	46.4%	-8.2%	396,360	35.2%	14.6%
Anne Arundel	110,332	13.6%	28.2%	141,438	15.2%	52.3%	215,373	19.1%	22.9%
Baltimore	218,613	26.9%	6.5%	232,855	25.0%	38.9%	318,677	28.3%	31.0%
Carroll	21,417	2.6%	50.2%	32,165	3.5%	24.4%	40,025	3.6%	47.8%
Harford	37,428	4.6%	29.1%	48,309	5.2%	35.8%	65,609	5.8%	28.0%
Howard	18,474	2.3%	135.7%	43,550	4.7%	104.4%	88,995	7.9%	45.7%
REGION	813,303	100.0%	14.4%	930,298	100.0%	20.9%	1,125,039	100.0%	25.3%

	1997		2000		1990-2000 % Change	2010		2000-2010 % Change
	Employment	% Share	Employment	% Share		Employment	% Share	
Baltimore City	454,380	32.2%	457,200	31.5%	15.3%	466,000	29.5%	1.9%
Anne Arundel	264,700	18.8%	274,300	18.9%	27.4%	302,800	19.1%	10.4%
Baltimore	417,400	29.6%	429,100	29.6%	34.7%	477,800	30.2%	11.3%
Carroll	59,160	4.2%	61,800	4.3%	54.4%	69,200	4.4%	12.0%
Harford	83,980	6.0%	89,200	6.2%	36.0%	101,700	6.4%	14.0%
Howard	129,680	9.2%	138,800	9.6%	56.0%	164,400	10.4%	18.4%
REGION	1,409,300	100.0%	1,450,400	100.0%	28.9%	1,581,900	100.0%	9.1%

Source: Baltimore Metropolitan Council Round 5A Employment Forecasts for the Baltimore Region, June 1997.
1970 and 1980, and 1990 Census of Population and Housing.

Figure 2. Employment Estimate and Projections by Regional Planning District, 1997, 2000, and 2010
Baltimore County

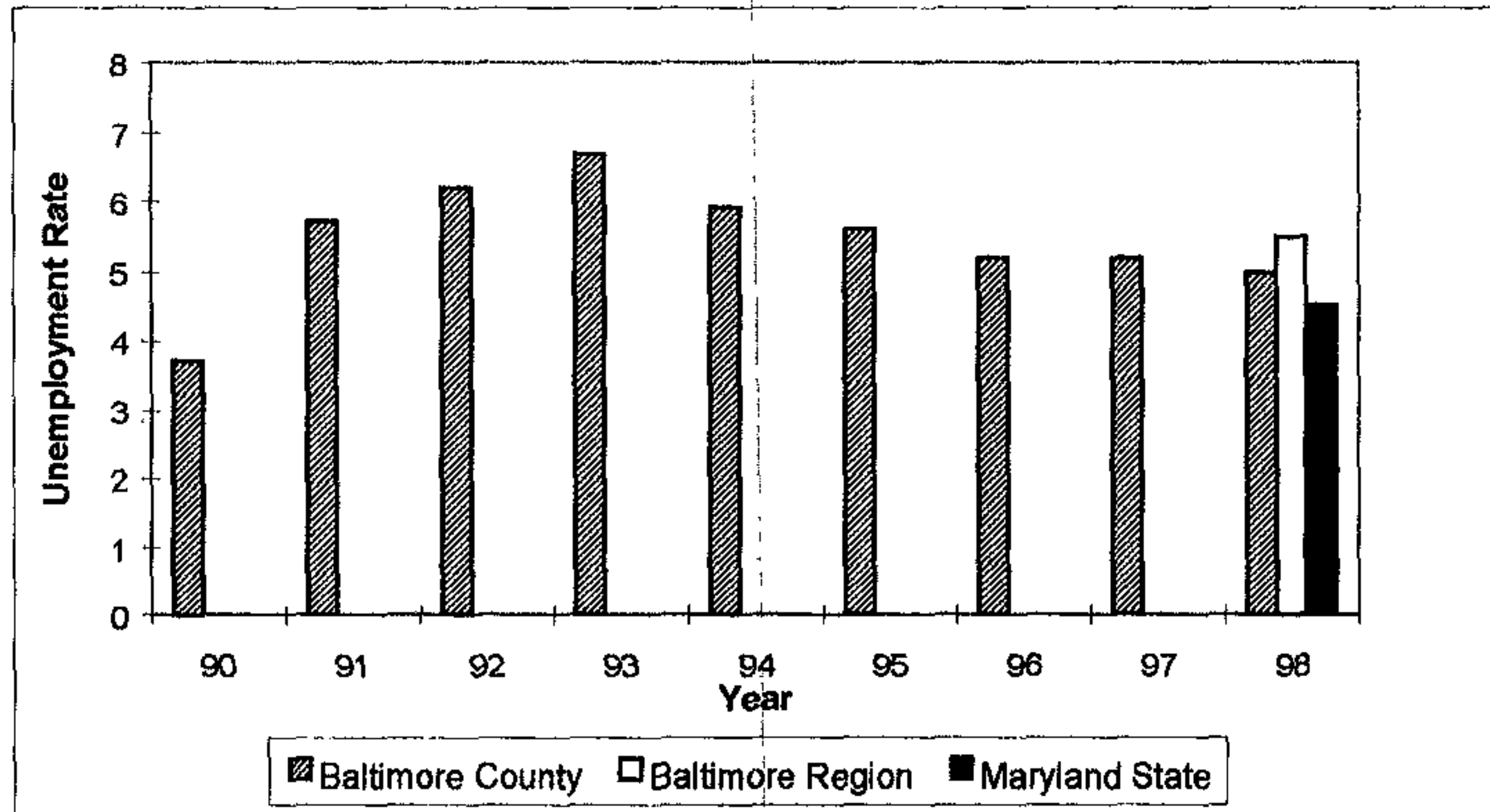


Sources: Baltimore Metropolitan Council Round 5A Population Forecasts for the Baltimore Region, June, 1997.



Baltimore County's unemployment rate declined to 5.0% in August 1998, below that of the Baltimore region (5.5%) and slightly above that of the state of Maryland (4.5%) (Figure 3).

Figure 3. Unemployment Rate, 1990-1998
Baltimore County



Source: 1990 Census of Population, Socio-Economic Characteristics.
Maryland Department of Labor, Licensing, and Regulation, 1990-1998.



COMMUTING PATTERNS

In 1990, half of Baltimore County's working residents worked in the county. Many commuted to Baltimore City (34.3%). Relatively few commuted to Anne Arundel County (4.9%), Howard County (4.1%), the Washington DC area (3.0%), and Carroll and Harford Counties (2.2%) (Table 7).

At the same time, 136,840 non-residents commuted to jobs in Baltimore County. Most commuted from Baltimore City (20.7%). Relatively few commuted from Harford County (7.0%), Carroll County (4.4%), Anne Arundel County (3.4%), and other areas (Table 8).

Table 7. Workers Residing in Baltimore County
by Jurisdiction of Work, 1990

Jurisdiction of Work	Number of Workers	Percent of Total Workers
Baltimore City	123,587	34.3%
Anne Arundel	17,572	4.9%
Baltimore	181,837	50.5%
Carroll and Harford	7,818	2.2%
Howard	14,945	4.1%
Washington MSA*	10,707	3.0%
Other Areas**	3,747	1.0%
TOTAL WORKERS	360,213	100.0%

Sources: The Census Bureau: 1970, 1980, and 1990
Censuses of Population, Socio-economic Characteristics.
Data prepared by Baltimore Metropolitan Council, 1993.

Notes:

*: The Washington DC Metropolitan Statistical Area includes both Maryland and Virginia suburban counties of Washington DC.
**: Other areas may include areas outside the Maryland State.

Table 8. Workers Employed in Baltimore County
by Jurisdiction of Residence, 1990

Jurisdiction of Residence	Number of Workers	Percent of Total Workers
Baltimore City	65,870	20.7%
Anne Arundel	10,837	3.4%
Baltimore	181,837	57.1%
Carroll	13,892	4.4%
Harford	22,333	7.0%
Howard	9,093	2.9%
Washington MSA*	3,592	1.1%
Other Areas**	11,223	3.5%
TOTAL WORKERS	318,677	100.0%

Sources: The Census Bureau: 1970, 1980, and 1990
Censuses of Population, Socio-economic Characteristics.
Data prepared by Baltimore Metropolitan Council, 1993.

Notes:

*: The Washington DC Metropolitan Statistical Area includes both Maryland and Virginia suburban counties of Washington DC.
**: Other areas may include areas outside the Maryland State.



INCOME LEVELS

Income provides one of the best means for describing the socio-economic status of different areas. Several different census data items are often used, including median household income, per capita income, and poverty status. Median household income may be a preferable measure for a comparison of overall income levels between places or over time. Table 9 displays the median household income for the counties in the Baltimore region, the regional total, and the state total. Baltimore County's median household income since 1990 has been above that of the region and somewhat lower than that of the state as a whole.

Per capita income for Baltimore County residents has traditionally been above that of the Baltimore region as well as the state (Table 10). The county's per capita income has also been higher than all jurisdictions in the region except Howard County.

Analysis of poverty characteristics indicates that the percentage of persons in Baltimore County below poverty is much lower than that of the Baltimore region and the state of Maryland (Table 11).

Table 9. Median Household Income (\$), 1990-1997

	1990	1991	1992	1993	1994	1995	1996	1997
Baltimore City	24,045	25,100	26,100	27,000	27,600	28,600	29,600	30,459
Anne Arundel	45,147	46,300	46,700	47,600	48,900	50,800	52,500	53,029
Baltimore	38,837	40,900	41,300	41,800	41,900	43,200	44,400	44,889
Carroll	42,378	45,200	46,000	47,800	49,000	50,300	51,800	53,421
Harford	41,680	43,300	43,500	43,500	44,600	46,300	48,100	48,191
Howard	54,348	57,000	56,900	57,500	59,600	61,700	64,000	64,578
REGION	36,500	38,200	38,800	39,600	40,400	41,900	43,300	44,014
STATE	39,386	41,000	41,500	42,300	43,200	44,600	45,900	46,618

Source: U.S. Census Bureau and U.S. Bureau of Economic Analysis, 1996. Data prepared by Maryland Office of Planning. 1997 data is estimated by Baltimore County Office of Planning.



Table 10. Per Capita Income, 1989-1994

	1989	1990	1991	1992	1993	1994
Baltimore City	17,078	17,871	18,645	19,554	20,183	21,233
Anne Arundel	20,956	21,759	22,030	22,774	23,461	24,282
Baltimore	22,289	23,611	24,055	24,897	25,236	26,206
Carroll	19,303	20,533	20,846	21,764	22,431	23,070
Harford	18,623	19,462	19,565	19,759	20,425	21,092
Howard	25,805	26,793	26,938	27,601	28,251	29,221
REGION	20,234	21,252	21,726	22,527	23,116	24,062
STATE	21,105	22,090	22,481	23,241	23,934	24,835

Source: Data prepared by Maryland Office of Planning, 1997.

Table 11. Poverty Status: Percent of Persons below Poverty, 1970 - 1993

	1970	1980	1990	1993
Baltimore City	18.4%	23.0%	21.9%	25.4%
Anne Arundel	7.1%	6.3%	4.5%	7.0%
Baltimore	4.5%	5.3%	5.5%	7.9%
Carroll	8.6%	5.2%	3.8%	4.6%
Harford	7.7%	7.4%	5.1%	6.1%
Howard	5.2%	3.6%	3.1%	3.9%
REGION	11.0%	11.6%	11.3%	13.3%
STATE	10.1%	9.8%	8.3%	10.2%

Source: 1970, 1980, and 1990 Census of Population; 1993 Census of Bureau estimates for counties nationwide (released in 1997). Data prepared by Maryland Office of Planning.



HOUSING CHARACTERISTICS

TENURE STATUS

In the analysis of housing data, the most basic item is tenure — whether the unit is rented or owned by its occupants. In Baltimore County, the homeownership rate has held steady since 1970, and is higher than the national average.⁵ The total number of occupied units has increased since 1970, as have the number of owner and renter occupied units (Table 12).

From 1970 to 1990, the number of vacant units in the county increased significantly. However, the number of vacant units decreased by 2,992, or 22%, from 1990-1997. This decline may be associated with increases in the number of households and population during the same time period.

Table 12. Residency Tenure Status, 1970 - 1997
Baltimore County

	1970	1980	1990	1997
Occupied Units	184,890	237,371	268,280	299,290
Owner Occupied	129,531	152,289	177,994	205,216
<i>Ownership Rate</i>	70.1%	64.2%	66.3%	68.6%
Renter Occupied	55,359	85,082	90,286	94,074
Vacant Units*	5,049	5,879	13,273	10,351
<i>Vacancy Rate</i>	2.66%	2.42%	4.71%	3.23%
Total Units	189,939	243,250	281,553	309,641

Source: 1970 and 1980 Maryland Population and Housing Profile by Maryland Department of Planning (Maryland Office of Planning); 1990 Census of Housing; 1997 Building Permits and Population Estimates by Baltimore County Office of Planning, July 1, 1997.

*: Vacant units = Total housing units - Occupied units. It includes units for sale or rent and other vacancies.

STRUCTURE TYPE

The most basic physical description of the housing stock is structure type. This is defined in the census as the number of units in a structure. The structure type data are generally divided into four categories. The largest size structure is five or more units, and is defined as multifamily housing, distinguishing it from the smaller scale duplexes (2-unit) or fourplexes (4-unit). The one-unit category is often referred to as "single family,"⁶ including both attached and detached units.

Approximately 73% of the housing units built in Baltimore County from 1991 through 1997 were single family units. This proportion is about the same as that of existing single family units in 1990. There was a slight decline in multi-unit housing units between 1991 and 1997. About 27% of the housing units built from 1991 through 1997 were multi-unit housing units. Among those, 29% were elderly housing units.



Baltimore County has been the regional leader in housing construction in the 1990s.⁷ Twenty-nine percent of the region's total 78,428 housing units built since 1990 have been constructed in Baltimore County (Table 13). The county also leads in the construction of multifamily (five and more) units, with a 45.7% of the region's total 13,598 multifamily units. The county is ranked second in terms of single-unit construction, behind Anne Arundel County.

Table 13. Number of Housing Units in 1990 and New Constructions in the 1990s

All Structure Types

	Baltimore County				Baltimore Region	
	1990 Census (Existing Units)	% of Total (Existing Units)	New Units in the 1990s	% of Total (New Units)	New Units in the 1990s	% of Total (New Units)
1-Unit						
<i>Detached</i>	133,686	48.2%	9,206	40.4%	42,818	54.6%
<i>Attached</i>	68,345	24.7%	7,356	32.3%	21,978	28.0%
2-Unit	5,403	1.9%	8	0.0%	28	0.0%
3 or 4-Unit	6,957	2.5%	1	0.0%	6	0.0%
5 or more	62,688	22.6%	6,214	27.3%	13,598	17.3%
TOTAL	277,079	100.0%	22,785	100.0%	78,428	100.0%

One Unit Structure

	Baltimore County				Baltimore Region	
	1990 Census (Existing Units)	% of Total (Existing Units)	New Units in the 1990s	% of Total (New Units)	New Units in the 1990s	% of Total (New Units)
1-Unit:						
<i>Detached</i>	133,686	66.2%	9,206	55.6%	42,818	66.1%
<i>Attached</i>	68,345	33.8%	7,356	44.4%	21,978	33.9%
TOTAL	202,031	100.0%	16,562	100.0%	64,796	100.0%

Sources: U.S. Census Bureau: 1990 Census of Housing; Baltimore Metropolitan Council, Building Permits Data, 1991 - 1997.

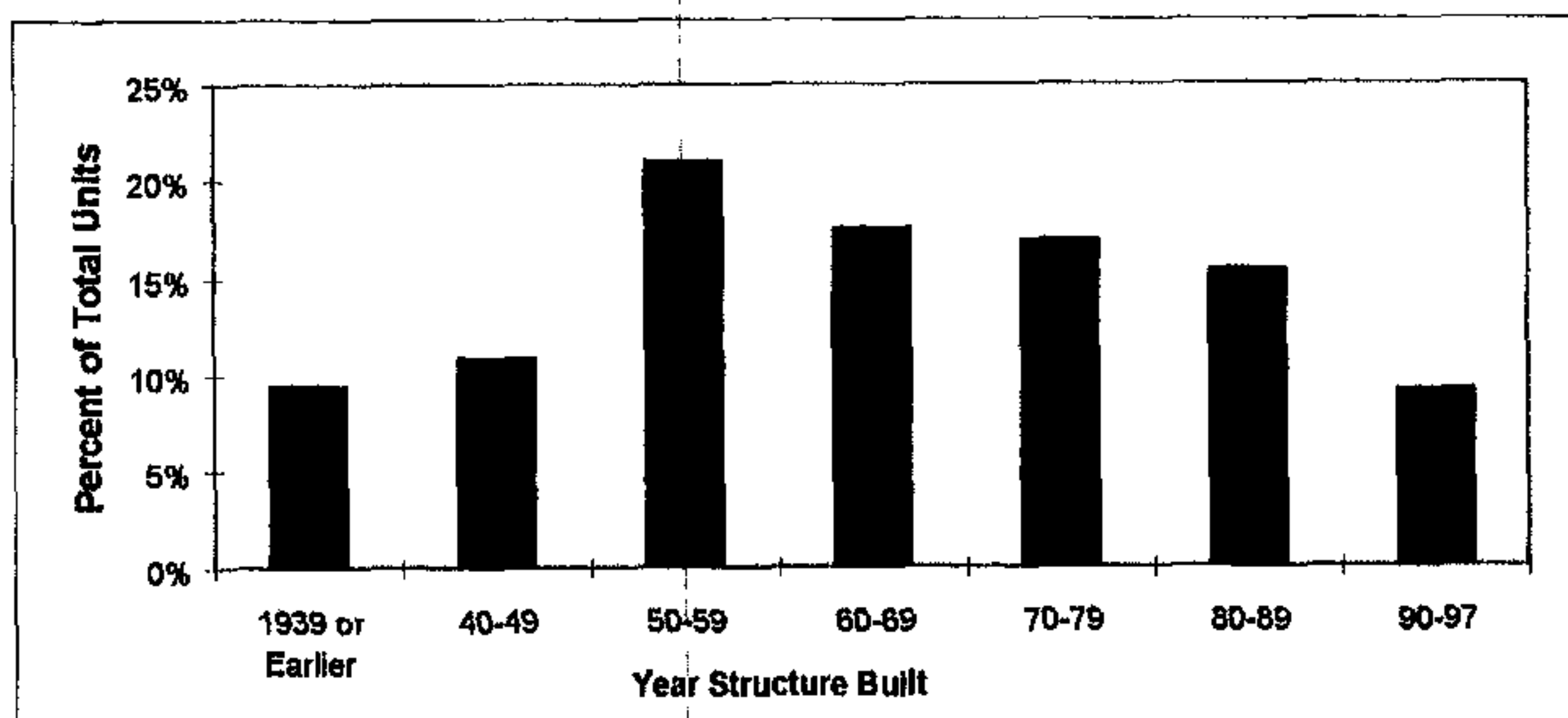


Since 1990, Baltimore County has built 16,562 of the 64,796 single family (attached and detached) houses constructed in the Baltimore region. Detached unit structures have accounted for about 40% of the county's total housing units constructed in the 1990s, while attached unit structures have accounted for about 32%.

AGE OF HOUSING

While new construction plays a part in describing the county's housing characteristics, it is also important to examine the existing housing stock, which, in Baltimore County, is aging. Figure 4 illustrates that the proportion of new units that were built between 1990 and 1997 is about 10%, while the proportion of older units built before 1950 is about 20% of the total housing stock. The period that saw the largest number of housing units built was the 1950s, coinciding with the nationwide post-World War II population and housing boom.

Figure 4. Years Structure Built, 1939 - 1997
Baltimore County



Source: 1990 Census of Population; 1997 Building Permits and Population Estimates, Baltimore County Office of Planning, July 1, 1997.

FOOTNOTES



- ¹ Maryland Office of Planning Population Projections for Baltimore County for the 1990s.
- ² Baltimore Metropolitan Council Round 5A Population Forecasts, June 1997; Maryland Office of Planning Population Projections, June 1997.
- ³ Maryland Office of Planning Population Projections, Age, Sex and Race, 1990 - 2020, Report 2A, July 1997.
- ⁴ The definition of a household is the occupied housing unit. Households include both family households and nonfamily households. Families are defined as persons living together and related by blood, marriage, or adoption. Nonfamily households are those that are composed of persons living alone or with unrelated persons. (Myers, Dowell. *Analysis With Local Census Data*. Boston, MA. Academic Press, 1992).
- ⁵ The nation's average homeownership rate is 65.7% in 1997, according to the U.S. Census Bureau: Second Quarter 1997: Graph of Homeownership Rates. Revised on July 22, 1997.
- ⁶ Myers, Dowell. *Analysis with local census data*. Boston, MA. Academic Press, Inc. 1992. The meaning of the one-unit category, "single-family", is potentially confusing, as the structure type has nothing to do with family status at all. Also, the single-family attached unit may be confused with multifamily, but they are in fact single-family housing sitting on individual foundations.
- ⁷ Baltimore Metropolitan Council, Building Permit Data System, New constructions in the Baltimore Region and its jurisdictions, 1991 - 1997.

PART 3:

REGIONAL FRAMEWORK



INTRODUCTION

Baltimore County is the largest of the six Maryland jurisdictions comprising the Baltimore region, which includes Baltimore City, Anne Arundel, Carroll, Harford, and Howard Counties. Also included in this discussion is York County, Pennsylvania, located north of Baltimore County, which has become an important component of regional development patterns (Map 4).

Strategically located within the Baltimore region, Baltimore County is part of a dynamic regional economy. The geographic location of the Baltimore region, in the Boston to Richmond transportation corridor, provides many economic development opportunities that can be enhanced through greater regional cooperation.

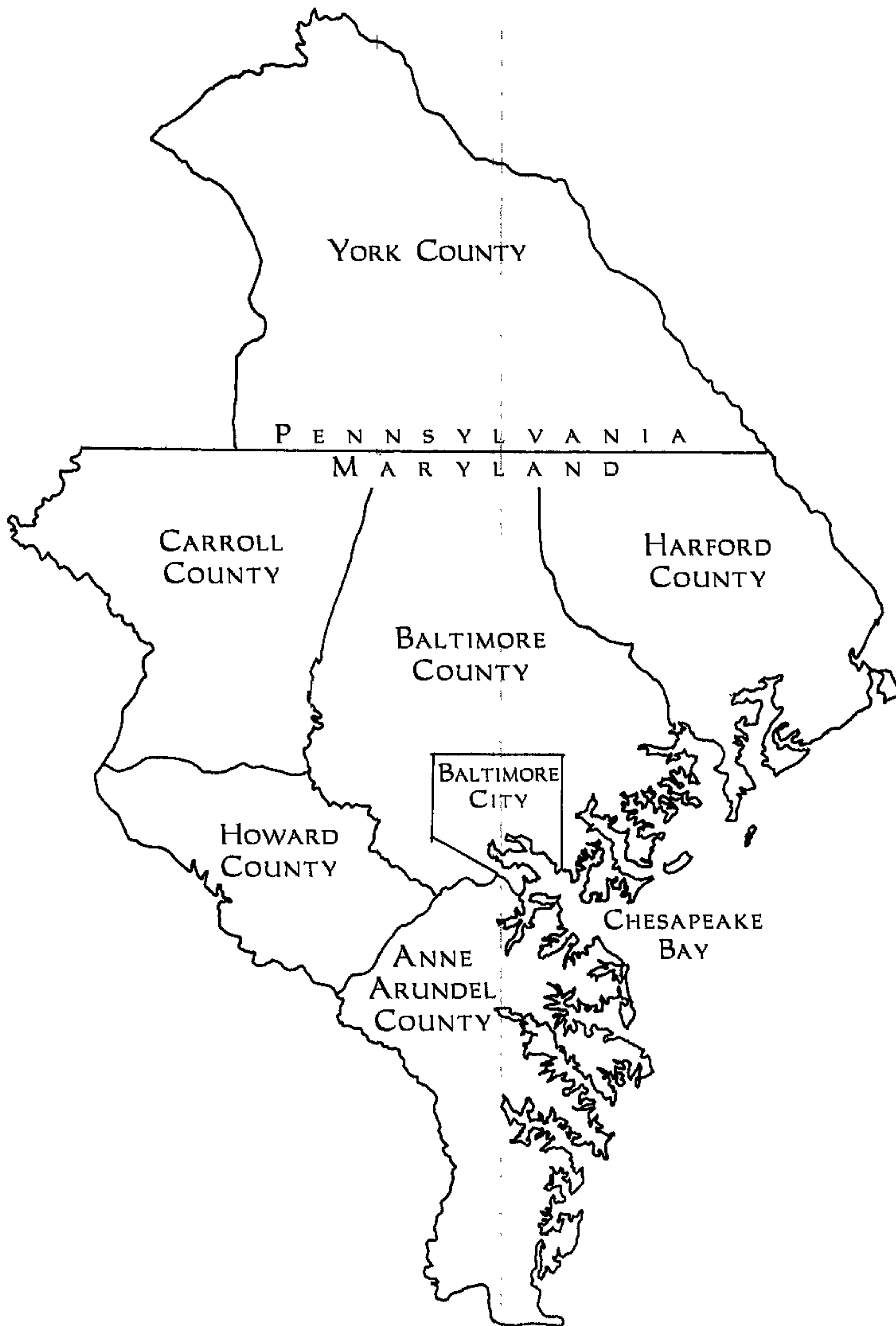
REGIONAL GROWTH PATTERNS AND GROWTH MANAGEMENT

Jurisdictions in the Baltimore region are confronted with challenges as well as opportunities. The continuous outward population migration from American cities to suburban areas that has been continuing nationwide since World War II has affected all counties in the region. In response to the growing demand for more government services and public infrastructure, which are difficult to provide cost-effectively in low density suburban development, some counties have adopted more restrictive zoning, growth management strategies, and master plans to control growth. Even with these controls, continued pressure to develop in rural areas is being experienced throughout the region.

*ECONOMIC
DEVELOPMENT
OPPORTUNITIES CAN
BE ENHANCED
THROUGH GREATER
REGIONAL
COOPERATION.*

Listed below are brief summaries of growth patterns in the region.

- Baltimore County has an adopted growth management plan and a master plan that designates two growth areas (Owings Mills and Perry Hall-White Marsh), employment centers, the Towson Urban Area, and community conservation areas. Rural areas are designated outside the urban rural demarcation line, including a large area in the northern part of the county and smaller areas to the east and west.



MAP 4
THE BALTIMORE REGION AND
YORK COUNTY, PENNSYLVANIA



- Howard County has designated Columbia-Ellicott City, Elkridge, and North Laurel as its growth areas; areas outside the growth areas are rural.
- Harford County has designated the Interstate 95 and Route 24 corridors as its growth areas. Employment and residential growth is encouraged in these areas, which includes the City of Belair. Areas located outside these growth corridors are rural.
- Carroll County has designated nine areas in which it will develop small area plans including the city of Westminster, the towns of Hampstead and Manchester, the Finksburg Community Planning Area along the Route 140 corridor, and the Freedom Planning Area adjacent to the Liberty Reservoir. Areas located outside these plan areas are rural.
- Anne Arundel County has provided areas of growth at Glen Burnie, Odenton, and Annapolis. The southern part of the county is planned to remain rural in character.
- Baltimore City is entirely urban.
- In York County, the patterns of development are controlled by individual townships and boroughs, rather than the county government. The southern area adjacent to Baltimore County has been designated as rural, except for the boroughs of New Freedom, Railroad, Shrewsbury, and Stewartstown, which have been included in an interim growth boundary as part of the York County Comprehensive Plan.

DEVELOPMENT OF A REGIONAL APPROACH

Each jurisdiction located within the Baltimore region should understand how its individual decisions impact other jurisdictions. Decision-making that focuses on promoting regional as well as local interests provides the best strategy for ensuring the continued viability of each jurisdiction in the future. Regardless of its division by jurisdictional boundaries, the Baltimore region functions as a single economically and socially integrated territory. Many communities cross jurisdictional boundaries, and can benefit from coordinating community and economic development plans. Examples of regional cooperation include the recreation councils and athletic competition, and the public safety agencies, which are coordinating their efforts across jurisdictional boundaries and exploring ways to improve communication and cooperation.

REGARDLESS OF ITS DIVISION BY JURISDICTIONAL BOUNDARIES, THE BALTIMORE REGION FUNCTIONS AS A SINGLE ECONOMICALLY AND SOCIALLY INTEGRATED TERRITORY.



POLICY

Baltimore County will take a lead role in promoting the philosophy that individual jurisdictions can only be fully successful by acknowledging their mutual responsibilities and working together to strengthen the entire region. The following policies, issues, and actions are informational statements which may provide guidance for the County Council when it acts to establish land use policy.

ISSUES AND ACTIONS

Baltimore County should participate in supporting or promoting the actions discussed here. Actions that will generally benefit the regional jurisdictions are listed, as well as more specific actions in which the county can work with individual jurisdictions on common issues. Regionalism depends upon a complex interaction among elected officials, government agencies, and the public.

Issue: Regional Cooperation

Similar to the Chesapeake Bay Agreement (signed by the governors of Virginia, Maryland, Pennsylvania, and the mayor of the District of Columbia) and the Baltimore Region's Watershed Management Agreement, the region's local governments should develop a cooperative effort to address growth-related issues in a proactive manner. Such an approach would encourage local jurisdictions to manage development in a manner sensitive to the common good of the jurisdiction and the region.

In addition to coordinating land use and development decisions, the region's local governments should continue to develop cooperative relationships to make the delivery of government services more efficient and more effective, and to support regional institutions.

General Actions

1. Coordinate draft plans for areas adjacent to common jurisdictional boundaries and jointly implement actions of common interest.
2. Target new growth opportunities within the designated priority funding areas where infrastructure has the capacity to handle more growth, thereby discouraging growth in rural areas.
3. Ensure that rural areas have appropriate zoning. Preserve areas of unique resources; do not allow expansion of rural residential areas.



Coordination among neighboring jurisdictions could alleviate land use conflicts.

4. Provide open space for various recreational opportunities that require shared financial and physical resources.
5. Continue to support regional economic development initiatives to market the Baltimore region nationally and internationally.
6. Identify methods to upgrade the Port of Baltimore, which may include uniform, multi-jurisdictional zoning for the port facilities to streamline redevelopment.
7. Establish regional priorities for transportation and transit projects and improvements.
8. Ensure fair treatment of the Baltimore region in Maryland's implementation of new EPA air and water quality requirements.
9. Strengthen coordination among public safety agencies.
10. Support educational initiatives that ensure uniformly high levels of educational services across jurisdictional boundaries.
11. Continue to support regional cultural facilities in Baltimore City such as the Baltimore Museum of Art, the Walters Art Gallery, Center Stage, and the Baltimore Symphony Orchestra, as instrumental components for maintaining the vibrancy of the urban environment and the Baltimore region.
12. Explore creating a regional database that provides information on workforce development, social service resources, zoning, development processing, permitting, and land availability.
13. Expand joint purchasing efforts among jurisdictions to maximize cost savings for government purchases of goods and services.
14. Coordinate public health and social service programs between jurisdictions.
15. Work cooperatively with other county and state agencies and neighboring jurisdictions in mutually beneficial recreation and park-related efforts.
16. Support regional workforce development initiatives and public-private partnerships to improve the regional workforce.



Joint Actions Between Baltimore County and Neighboring Jurisdictions

Baltimore City

1. Explore regional approaches to solid waste processing and disposal.
2. Continue to cooperate on interjurisdictional watershed management through the Upper Western Shore, Patapsco, and Back River Tributary Strategy Groups, and cooperate to resolve land management issues in the watershed areas.



Uniform multi-jurisdictional zoning for the port facilities may help to streamline redevelopment.



3. Develop uniform criteria for the revitalization and upgrading of commercial corridors. Develop a joint commercial corridor advisory group to coordinate improvement programs and expenditures.
4. Investigate using a community planning effort designed to introduce community association leaders to one another where association boundaries abut the city/county line. Shared quarterly meetings may be instrumental in developing common goals and programs.
5. Continue to develop joint community plans to be adopted by each jurisdiction.
6. Maintain Baltimore City's role as the cultural/entertainment center of the region.

Anne Arundel County

1. Jointly support the BWI Partnership, which promotes the economic development of the subregion surrounding BWI Airport (southwest Baltimore County, northeast Howard County, and northern Anne Arundel County).
2. Coordinate Glen Burnie's community conservation and revitalization strategies and Baltimore County's Southwest Area Strategy.

Carroll County

1. Maximize efforts to upgrade and protect Piney Run through cooperative efforts and agreements with the Maryland Department of the Environment, Carroll County, and the town of Hampstead.
2. Recognizing that Hampstead and Manchester are historic incorporated municipalities that have been planned for growth since the early 1960's, develop agreements and programs to ensure that new development outside the Hampstead and Manchester planning areas is compatible with Baltimore County's rural preservation efforts.
3. Explore commuter options to relieve traffic throughout the Hanover Pike corridor.

Harford County

1. Continue to join in Harford County's effort to support the operation of Aberdeen Proving Grounds. This effort includes the provision of public services directly to the base, coordination with base officials for continued outsourcing of procurement of goods and services from local businesses, and environmental protection and improvements to the extensive waterfront shared with the Chesapeake Bay and its tributaries.



A joint commercial corridor advisory group is proposed to coordinate improvement programs and expenditures.



2. Continue to cooperate in the management of the Deer Creek and Little Gunpowder watersheds through participation in the Upper Western Shore Tributary Strategy Group and the Mason-Dixon Task Force.
3. Develop programs to preserve large contiguous areas of farmland that cross jurisdictional boundaries and retain businesses that support the agricultural industry. Such programs might include joint agriculture preservation agreements, uniform zoning densities, or joint participation in the Rural Legacy Program.
4. Contain the rural-residential development pattern in the Jacksonville area of Baltimore County and the Fallston area of Harford County, possibly through a joint agriculture preservation agreement.

Howard County

1. Support Route 29 terminating at 1-70.
2. Continue cooperative planning on watershed management and reservoir protection through participation in the Patapsco Tributary Strategy Group.
3. Coordinate Baltimore County's Southwest Revitalization Strategy and the *Patapsco/Granite Area Community Plan* with Howard County plans.

York County

1. Develop programs to preserve large contiguous areas of farmland that cross jurisdictional boundaries and retain businesses that support the agricultural industry.
2. Explore common watershed resource issues through participation in the Mason-Dixon Task Force. Continue cooperative planning on watershed management and reservoir protection through participation in the Gunpowder River Watershed Study.



PART 4: THE URBAN COUNTY

INTRODUCTION

Master Plan 2010 makes a distinction between the urban and rural areas of the county. This is done to emphasize that county policy and action differs between these two areas, for the overall benefit of all county residents. Within the urban areas, emphasis is placed upon economic development, public safety, education, and community conservation. Maintaining the county's older communities as viable, attractive places to live and work requires a concerted effort by county government and residents. Issues pertaining to housing, infrastructure, education, workforce development, economic development, health, safety, recreation, the environment, and community stewardship are all intertwined and must be addressed together in order to assure the continuing success of the county's urban communities. Strengthening the urban communities will result in a strengthening of the rural areas of the county as well; viable urban areas reduce the development pressure placed on the rural areas.

The urban areas lie within the urban rural demarcation line (URDL). The URDL was originally established to delineate the areas of the county that receive public water and sewer utilities, and thus support higher development densities. Now, much of the area within the URDL has been developed. More than 650,000 people live within this urban area of the county, comprising about 90% of the county's population.

Bordering the eastern end of Baltimore County, and including land both inside and outside of the URDL, are 173 miles of waterfront. Baltimore County's waterfront is an important asset to the county and the Chesapeake Bay region. Much of the privately owned waterfront is developed in a combination of dense residential and industrial uses. The undeveloped waterfront has protected shoreline that includes public parks, woodlands, and agricultural lands. Future development and redevelopment of the waterfront should be undertaken in a way that conserves and enhances existing waterfront communities while balancing the use of the waterfront as a natural amenity, a recreational resource, a source of economic opportunity, and a place where people live.

*WITHIN THE URBAN
AREAS, EMPHASIS IS
PLACED UPON
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PUBLIC SAFETY,
EDUCATION, AND
COMMUNITY
CONSERVATION.*



The land management areas of the urban county consist of community conservation areas (CCAs), growth areas, employment areas, and the Towson Urban Area (Map 30). The CCAs, which are the county's older, established communities, contain both residential and commercial areas. These commercial areas include the older villages such as Catonsville, Pikesville, Essex, and Dundalk, as well as smaller neighborhood shopping areas and the radial commercial corridors. The land management areas are discussed in detail in the section entitled "Urban Land Management."

Problems that can affect any urban area include poor school performance, resident transience, concentrations of low income residents, inadequate service provision, loss of local business, traffic congestion, poor air quality, deteriorating housing/infrastructure, and heightened fear of crime. The 1989 master plan called for community conservation initiatives, namely a program of "public and private efforts designed to maintain or enhance the physical, social and economic resources of the county's older, urban area communities." *Master Plan 2010's* urban strategy calls for continuing substantial community conservation efforts, reinvesting in Baltimore County's urban areas to ensure stability, support our agricultural industry, and maintain value.

ECONOMIC DEVELOPMENT

INTRODUCTION

A COMPREHENSIVE RANGE OF BUSINESS USES IS ENCOURAGED IN SUITABLE LOCATIONS, WITH A FOCUS ON "EXPORT" BUSINESSES.

Baltimore County's economic development mission is three-fold: 1) to create employment opportunities that provide family supporting income for its citizens by retaining and expanding the existing business base and attracting new businesses to the county and the Baltimore region; 2) to secure the long-term well-being of Baltimore County citizens and communities by ensuring the county's ability to expand its economy well into the future; and 3) to protect its agricultural industry to ensure its viability. In addition, the economic development program recognizes the county's urban and rural distinctions. In the urban areas, a comprehensive range of business uses is encouraged in suitable locations, with a focus on "export" businesses. In the rural areas, the agricultural industry, which is the county's largest business land use and contributes in excess of \$400 million annually to the county's economy, is also supported. The economic development program for the agricultural industry is discussed in the rural section of *Master Plan 2010*.

Quality jobs and a high level of employment promote strong families and communities. When residents have good jobs, the incidence of family stress and social problems is reduced, home ownership increases, and homeowners have the resources to better maintain their properties and, by extension, their neighborhoods. Similarly, well-employed individuals make strong consumers, who buy the goods and services produced by other businesses and strengthen the health of the area's overall economy. The county therefore focuses its economic development effort on ensuring that residents have quality employment opportunities — both now and in the future.



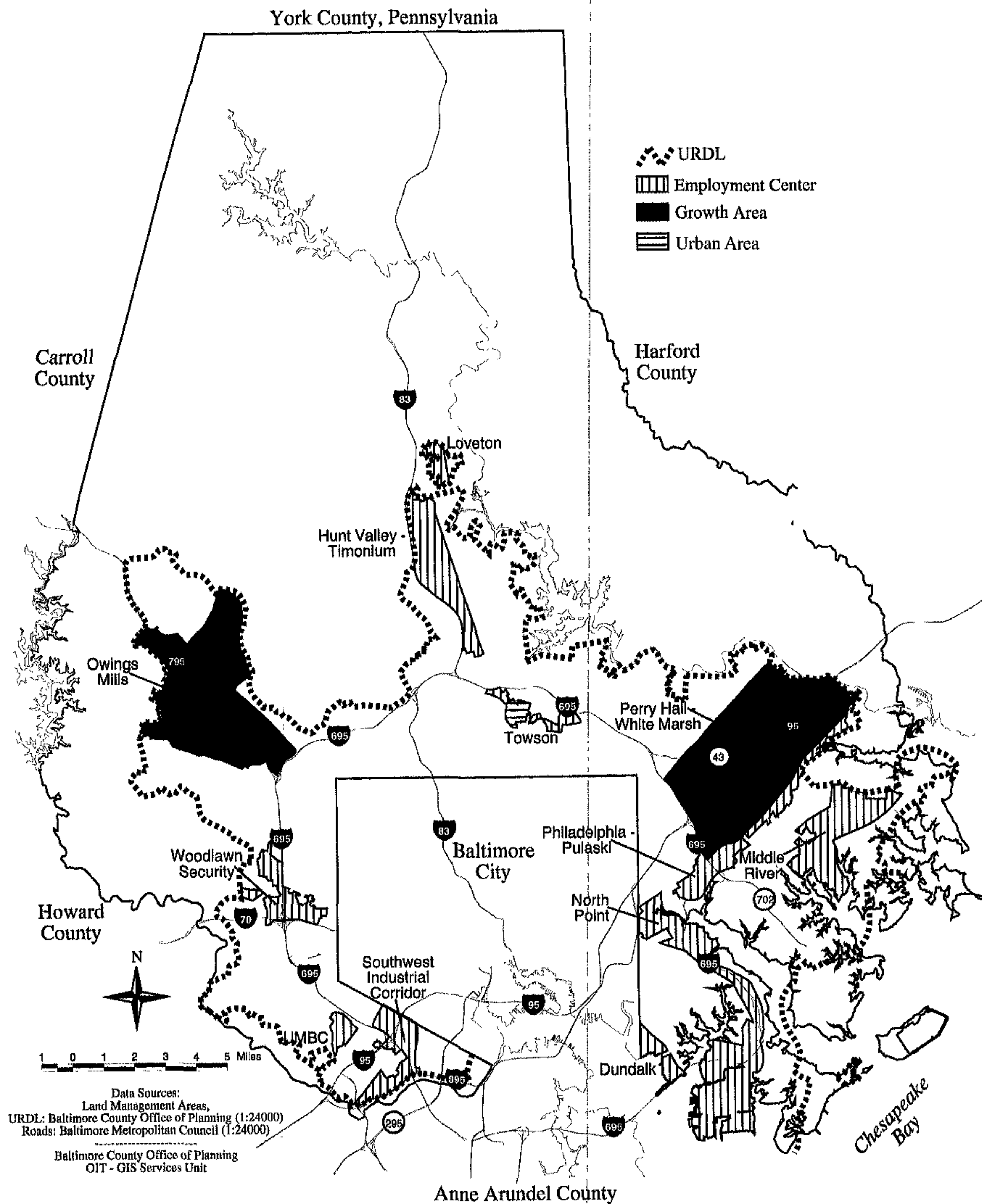
The county's economic development program focuses primary attention on retaining, expanding and attracting the operating facilities and corporate headquarters of "export" businesses — regional and national companies that export goods and services out of the metropolitan area and thereby bring new wealth into the region. Export industries are: manufacturing; back-office operations and call centers; finance and insurance; warehouse distribution; and technology. If the county is successful in promoting local investment by these "wealth producing" industries, the necessary service and retail development will naturally follow on its own.

In addition to traditional "export" industries represented by manufacturing and corporate headquarter operations, tourism is an important industry that results in the infusion of dollars into the local and regional economy by individuals who visit for a day, a week, or a month. To increase the number of tourist dollars captured within the region, Baltimore County contributes to regional efforts to develop and promote Baltimore County destinations. In particular, the nearly 200 miles of waterfront located on the eastern part of the county are being evaluated to identify opportunity sites for the development and promotion of waterfront destinations accessible by land and water.

Many factors influence business decisions regarding expansion and relocation. County government works to ensure that the county's physical infrastructure, business climate, land use regulations, and other policies and plans support business development and growth. A concerted effort continues to attract major new investment to the targeted growth areas and employment centers (Map 5). The County Council has adopted area revitalization strategies for both the eastern and southwestern areas, to enhance their potential to attract business and strengthen the fabric of



Waterfront areas are being evaluated for the development and promotion of tourist destinations accessible by land and water.



MAP 5
EMPLOYMENT CENTERS, GROWTH AREAS, AND URBAN AREA



residential communities in these older areas. State enterprise zones have been designated for the North Point corridor and the southwest industrial area to provide tax incentives for business location and expansion (Map 6). The county has embarked on a “waterfront” strategy designed to enhance the waterfront resource as a means of improving the quality of life, image, and the investment climate in eastern Baltimore County.

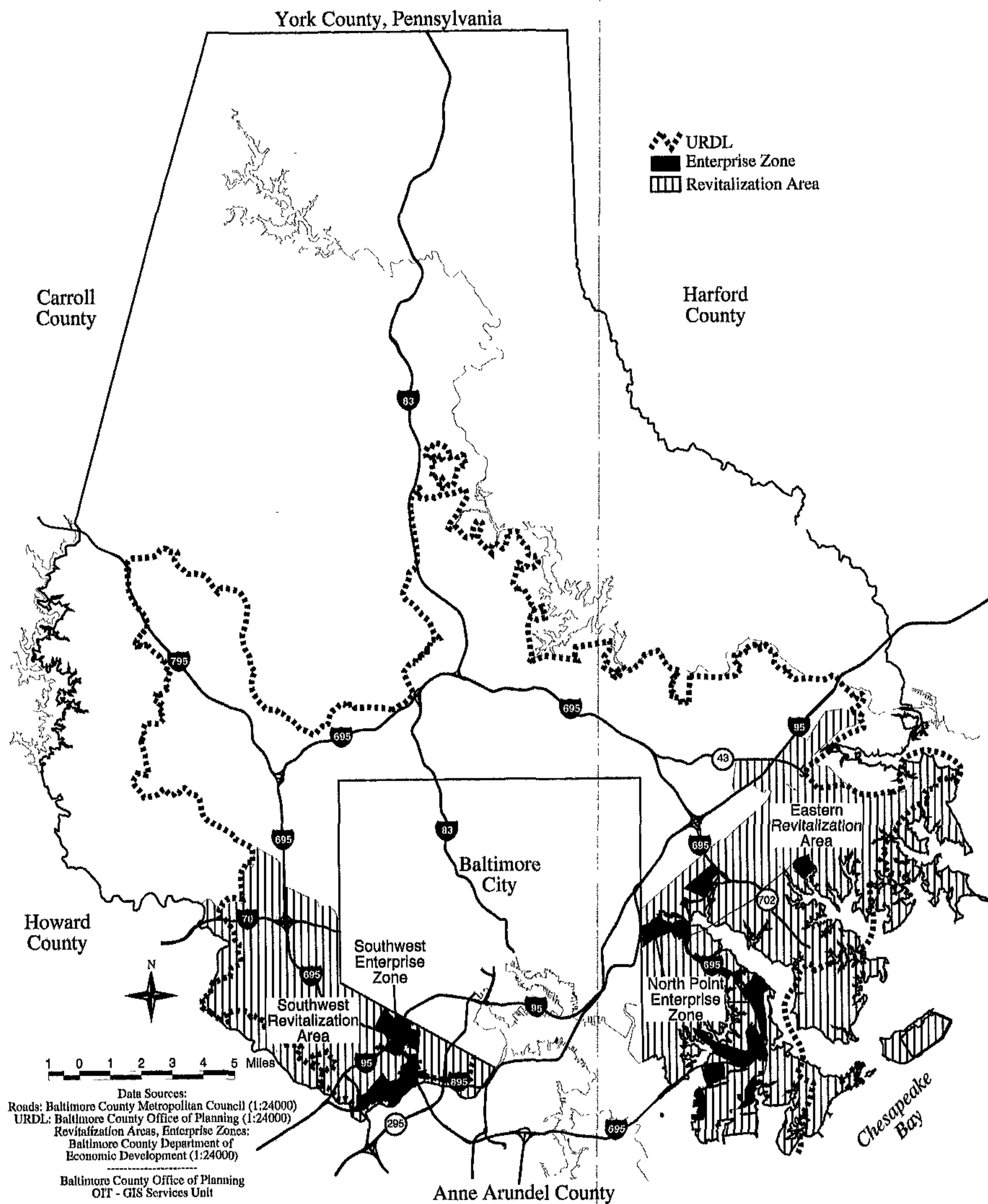
The economic development program also focuses increased attention on strengthening the 12 designated Commercial Revitalization Districts (Map 23). The revitalization districts are discussed in the Commercial Community Conservation Areas section. In partnership with the Commercial Revitalization Action Group (CRAG), the Department of Economic Development’s restructured Commercial Revitalization Program directs technical and financial assistance to these areas in an effort to foster business growth and appropriate, quality redevelopment.

An educated work force must be the cornerstone of any successful economic development strategy. The skill levels of the local work force can be the critical factor in a company’s decision to locate or remain in an area. County businesses reported in a survey that the quality and availability of labor were among their top concerns. Work force development begins at the earliest stages of citizens’ lives and is based on a strong system of public education.

Sought-after, skilled workers are more likely to continue to live in their neighborhoods and in the county if they feel satisfied with conditions in their communities, such as good schools and other public services, efficient transportation systems, low crime rates, and stable property values. Strong, stable residential communities strengthen the county’s ability to attract new employers as well. Thus, the county’s economic development and community conservation efforts go hand in hand.

Baltimore County’s economy is highly integrated with the economies of the other jurisdictions in the region, as evidenced by the patterns of people commuting to work. Consequently, regional conditions can have a large impact on the county’s economy. A healthy regional economy contributes to the employment of county residents and helps to maintain their high standard of living. Similarly, plant closings or corporate downsizing in other Baltimore region jurisdictions can cause Baltimore County residents to lose

*AN EDUCATED
WORK FORCE MUST
BE THE CORNERSTONE
OF ANY SUCCESSFUL
ECONOMIC
DEVELOPMENT
STRATEGY.*



MAP 6
ECONOMIC DEVELOPMENT PROGRAM AREAS

their jobs and reduce the overall level of wealth in the regional economy. It is in the county's interest to cooperate with other jurisdictions to bring new business investment to the area.



POLICIES

- Retain, expand and attract businesses that provide jobs with family supporting wages, and sustain investment, with emphasis on "export" companies that bring new wealth into the region.
- Ensure that plans, physical infrastructure, business climate, and land use regulations position the county as a premier location for such business development and growth.
- Foster the successful redevelopment of well-situated vacant and underutilized commercial and industrial properties throughout the county.
- Maintain a top-notch work force through close coordination among institutions: economic development; employment and training agencies; the public schools and colleges; and the business community.
- Ensure that the growth areas, employment centers, and Commercial Revitalization Districts continue to receive the infrastructure necessary to attract new business investment.
- Focus special attention on strengthening the ability of older commercial and industrial areas to support new and expanded business activity.
- Nurture small and start-up businesses.
- Promote the development and commercialization of technology-based products and services.
- Cooperate with regional jurisdictions to market the Baltimore region successfully, to companies throughout the United States and the world, as a superior business location.
- Cooperate with regional jurisdictions to market the Baltimore region successfully as a tourist and convention destination.
- Work cooperatively with local chambers of commerce and business development associations.
- Protect and promote the agricultural industry.

*THE COUNTY WILL
FOCUS SPECIAL
ATTENTION ON
STRENGTHENING THE
ABILITY OF OLDER
COMMERCIAL AND
INDUSTRIAL AREAS
TO SUPPORT NEW
AND EXPANDED
BUSINESS ACTIVITY.*

ISSUES AND ACTIONS

Economic development issues facing the county include ensuring an adequate supply of strategically located land appropriate for development, facilitating the quality redevelopment of vacant and underutilized commercial and



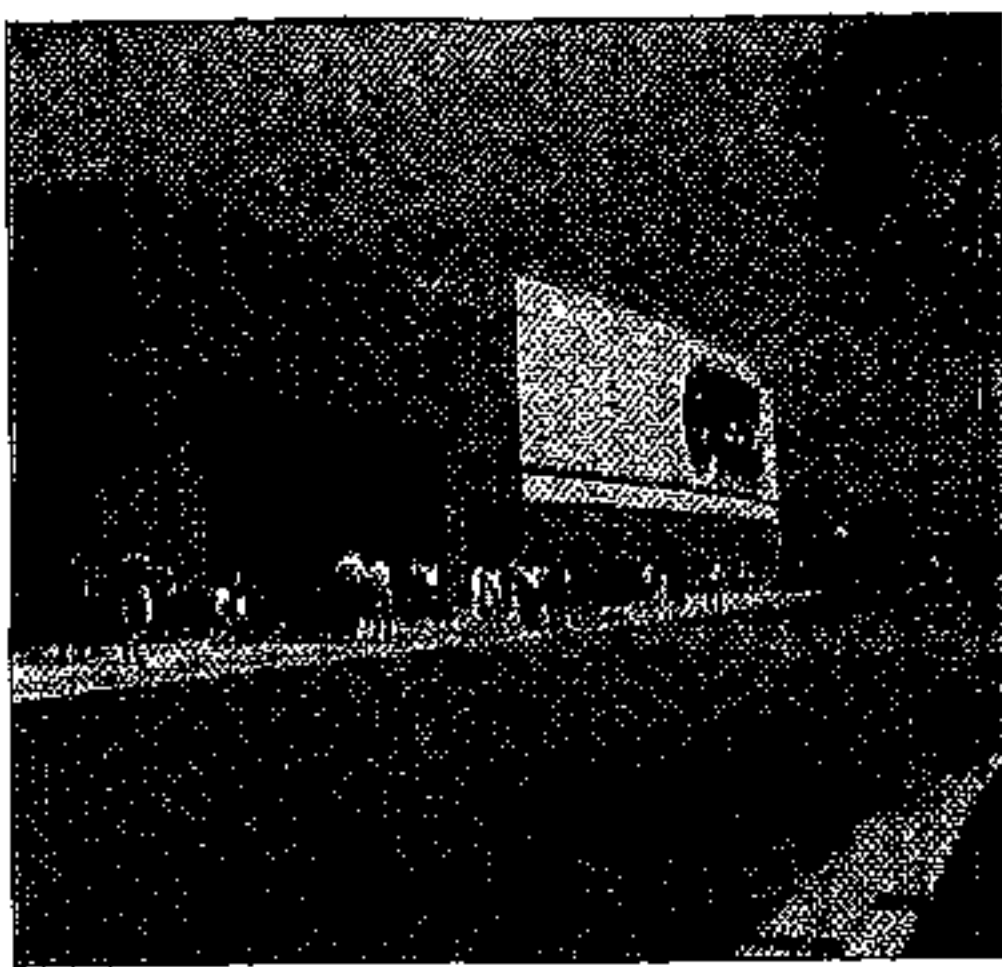
industrial sites, strengthening the work force, and taking a more active role in decisions affecting the Port of Baltimore.

Issue: Availability of Appropriate Land for Export Businesses

Baltimore County's ability to continue to attract new export businesses in coming years will depend to a large extent on the availability of land with the appropriate zoning served by infrastructure. This is especially true in the Owings Mills and Perry Hall-White Marsh Growth Areas, the Hunt Valley/Timonium and Middle River Employment Centers, and the North Point and Southwest Enterprise Zones.

Regardless of location, a property will only be appealing to a major employer if it has the necessary roadway access and water and sewer service for it to be developed. The county must continue to ensure that investments in roads, utilities, schools, and housing support the future economic development potential of its key employment centers. Investing in these key employment centers will benefit the tax base and employment base of the rest of the county.

In the *Baltimore County Zoning Regulations*, the zones that are suitable for regional- and national- serving export businesses are ML (manufacturing-light), MH (manufacturing-heavy), OT (office and technology) and other office zones. However, the county's supply of land with these zoning classifications—particularly ML—is threatened by pressure from landowners to develop retail uses on the land. Landowners understandably prefer retail uses over other uses because retailers can pay much more (often five times more) per acre of land than other uses can. A property owner who pays an "ML-zone" price for land and is able to sell or lease that land for a "B-zone" use stands to make a large profit. However, it is in the county's interest to maintain a long-term land management perspective and not allow the inventory of prime manufacturing and office land to be eroded incrementally to meet individual landowner's short-term needs.



Big box retail is using the limited supply of manufacturing-zoned land.

The threat to employment-intensive zoning has taken two main forms. In some cases owners of land targeted for employment uses have requested and been granted zoning map changes from manufacturing or office zones to "business" zones that permit retail and service uses. In other cases, landowners have successfully petitioned zoning officials for broad zoning regulation interpretations that permit extensive amounts of retail and service development in ML zones, based on provisions for "auxiliary" uses.

Actions

1. Review and revise the industrial and office zoning categories, which are intended for employment-intensive uses, to ensure that retail uses are strictly limited.
2. Preserve the existing inventory of land with ML, MH, OT, and other office zoning during rezoning processes, so that it will be available for the establishment of export businesses. When rezoning requests are submitted, the Office of Planning should work with the Department of Economic Development to assess the marketability of the site with its existing zoning. Factors to consider include: size and configuration of the property; its proximity to other industrial properties; its ability to provide jobs with family-supporting income; the availability and condition of infrastructure; and any applicable environmental issues.
3. Give high priority in the capital improvement program to projects that enhance the growth areas and employment centers as places to locate a business.



Issue: Availability of Promising, Well-Packaged Redevelopment Opportunity Sites

The county must continue to attract new industrial and commercial development to replace well-paying manufacturing jobs lost in the region over the past two decades, while improving the health and quality of life for residents, and continuing to protect the Chesapeake Bay and undeveloped property called “greenfields.” Part of that assessment must include an evaluation of the economic development potential of property located adjacent to the waterfront, while recognizing limits imposed by environmental constraints and recreational needs. To do so, the county needs to overcome obstacles – including environmental questions – to redeveloping sites in the county’s older areas.

As Baltimore County has matured, many of its older commercial and industrial areas have seen an increase in the number of problem properties that lie vacant or underutilized. These properties represent a significant financial cost in terms of unrealized property tax revenue and jobs, and they can become a visual blight for surrounding communities. Many have significant market potential because of their location or other features, but for a variety of reasons, the private sector alone has been unable to carry out redevelopment in these key locations. Areas with potential for redevelopment include the Eastern Revitalization Area, the Southwestern Revitalization Area, and the twelve commercial revitalization districts



The county will evaluate the economic development potential of property located adjacent to the waterfront for employment use.



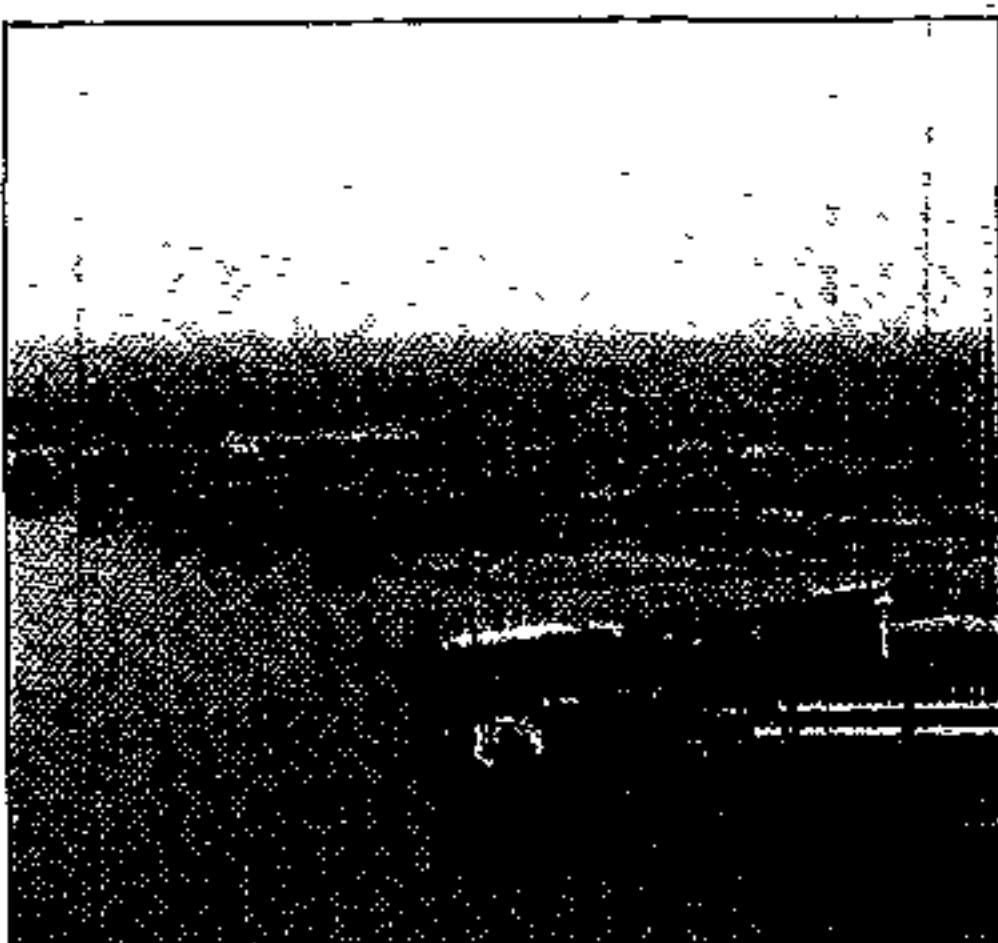
(Arbutus, Catonsville, Woodlawn, Pikesville, Liberty Road, Reisterstown, Towson, Loch Raven, Parkville, Overlea, Essex, and Dundalk) (Map 23). Some of the reasons redevelopment has been difficult are:

- multiple ownership of vacant adjacent parcels, making land assembly difficult if not impossible;
- for a particular site, absence of a unified redevelopment strategy around which property owners can rally;
- absence of a catalyst to facilitate timely development by convening involved parties, brokering agreements, and involving public agencies where appropriate;
- real or perceived environmental contamination; and
- high redevelopment costs due to the need for demolition or major renovation.

Industrial and commercial sites with real or perceived environmental contamination are called “brownfields.” The extent of the industrial contamination problem in Baltimore County is unknown. However, given the county’s history of extensive heavy manufacturing – especially in the southeastern and southwestern areas – there is a strong likelihood that environmental concerns will hamper redevelopment of vacant or underutilized sites.

Actions

1. Intensify efforts to return vacant or underutilized industrial and commercial properties to productive use.
2. Strengthen the existing legislative authority to establish a public or quasi-public redevelopment authority with the power to acquire and redevelop property and to address obstacles to redevelopment of vacant properties in commercial revitalization districts, enterprise zones, and community conservation areas. Include a mechanism to ensure input from representatives and residents of affected areas.



The Port of Baltimore is an important wealth-generating asset for the region, contributing directly and indirectly to tens of thousands of jobs.

Issue: Competitiveness of the Port of Baltimore

The Port of Baltimore consists of the terminals and other facilities in the Baltimore Harbor that support international trade. A port is an important wealth-generating asset for a region because it makes possible the cost-effective import and export of goods. This trade with other nations and regions of the United States contributes directly and indirectly to tens of thousands of jobs. However, the Port of Baltimore faces stiff competition from other ports and must continually improve its competitive advantage

relative to Norfolk, Philadelphia, and other east coast competitors. One way local jurisdictions can support the port is by facilitating the redevelopment of underused land near the waterfront.



Action

Through the multi-jurisdictional Port Land Use Committee, identify and enact measures to promote timely redevelopment of waterfront land and uniform zoning treatment of waterfront land among jurisdictions.

COMMUNITY SERVICES

INTRODUCTION

Traditionally, master plans have focused on the physical attributes of a community's future development, such as land use and zoning, roads, water and sewer facilities, parks, schools, and police and fire stations. This is the proper role of the master plan as envisioned by the County Charter. The master plan is a reference document which the County Council may use when exercising its authority to establish land use policy through the adoption of zoning maps and zoning ordinances. However, to be more comprehensive, a master plan may consider not only the ways to build a harmonious, efficient physical setting, but also how related community services can foster healthy, productive citizens. *Master Plan 2010* adopts this approach.

Under the broad concept of "community services," the following text addresses three major areas: public education, public safety, and public health and social services. These services are integral components of the county's community conservation goals. No matter how attractive the physical surroundings might be made, community conservation will falter if these services are not consistently available and of high quality. Therefore, a consideration of these services is relevant to the establishment of land use policy for the county.

These, and other statements throughout the master plan which address community services, are intended as additional guidelines for consideration by the County Council whenever it acts to establish land use policy.

**A MASTER PLAN
MAY CONSIDER NOT
ONLY THE WAYS TO
BUILD A HARMONIOUS,
EFFICIENT PHYSICAL
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ALSO HOW RELATED
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PRODUCTIVE CITIZENS.**



PUBLIC EDUCATION

Schools are the cornerstones of communities. The perceived quality of neighborhood schools may be the single most important factor in a family's decision about where to live. Good schools are thus an important key to maintaining healthy, stable neighborhoods. Even more important, quality schools help to ensure that the next generation of county residents is prepared for challenging employment, good citizenship, and a lifetime of self-directed learning.

Education is also a major tool to reduce poverty and create equal opportunity. The percentage of Baltimore County children under 18 years of age living in poverty has increased from 4.3% in 1970 to 7.9 % in 1993. Poverty is an important risk factor for children, indicating a greater chance of health, developmental, and behavioral problems that can prevent them from reaching their potential in school. Early intervention can make a big difference, helping to ensure that disadvantaged children grow up to become productive members of the community.

Education is broader than schooling. The Baltimore County Public Schools and other agencies provide a variety of non-instructional services that support the mission of educating children. Through public and private institutions, Baltimore County offers adults a wide range of opportunities for life-long learning and career enhancement. In addition, education that fosters civic involvement can help increase the capacity of citizens to advocate for their communities and promote positive community goals.

Educational policy is determined by the Baltimore County Board of Education and the Board of Trustees of the Community College of Baltimore County. These policies are subject to the County's review through its budgetary procedures. Accordingly, the following policies, issues, and actions are informational statements which may provide guidance for the County Council when it acts to establish land use policy.

POLICIES

- Ensure a high quality public educational experience for all children and young adults.
- Ensure that older school buildings are safe, functional, and meet contemporary program needs.



The perceived quality of neighborhood schools may be the single most important factor in a family's decision about where to live.

educational program policies.” The *School Facilities Master Plan* and the action plan could serve as vehicles to communicate with citizens about educational policy.



Actions

1. Continue to assess implementation of the action plan of the Baltimore County Public Schools and convey findings to citizens.
2. Include in the *School Facilities Master Plan* a discussion of the mission, goals, action plan, and accomplishments related to student academic achievement.
3. Evaluate school academic performance, including the Maryland School Performance Assessment Program (MSPAP), functional tests, the dropout rate, and student attendance, and implement measures to assist schools not meeting minimum standards.

Issue: Reducing Teacher Turnover Rates

Some county schools have relatively high percentages of first and second year teachers, which often reflects a high staff turnover rate. Teachers have a negotiated right to request and be granted transfers after two years in the same school. While many requests for transfer are for personal reasons, such as teachers' desire to work closer to their homes, in some cases teachers request transfers because they are dissatisfied with conditions at their school. The school system has not tracked teacher turnover in the past, but there appears to be a correlation between higher teacher transfers and a student body with a high proportion of economically disadvantaged students.

It is important to have a strong nucleus of experienced teachers in a school, particularly where discipline problems are prevalent and where many students are not prepared to perform at their grade level. While new teachers bring enthusiasm and fresh ideas to a school, veteran teachers have the experience, maturity, and reputation with students that can be invaluable in dealing with difficult or disadvantaged students. A good mix of new and experienced teachers is ideal. The school system has recently responded to the problem of teacher turnover, with early evidence of success, by providing experienced teachers as on-site mentors for first and second year teachers and/or teachers with fewer than five years of experience.



The county will strive to maintain a mix of teachers who bring experience and enthusiasm to the school.



Actions

1. To the extent possible, maintain a balance between new and experienced teachers in all schools.
2. Continue to implement and assess the teacher mentoring program; prioritize mentor assignments based on critical need as reflected by high teacher attrition, low school achievement, and assessment of student risk factors.
3. Consider ways to attract highly capable, veteran teachers to schools with low student achievement.

Issue: Using Public Facilities for Community Activities

Public facilities are hubs of communities. Public buildings, and particularly schools and libraries, are landmarks that contribute to a community's sense of identity and cohesiveness. On a practical level, they are places where a variety of civic, recreational, educational, and family support activities occur. These activities not only strengthen the community and its members, but also create positive links between the facility and the community. When parents and other community members use the public facilities on a regular basis, they develop a sense of ownership and pride in the facility, which can result in greater parental involvement in childrens' education and increased community support for the facility.

Actions

1. Continue to expand the use of school buildings, libraries, and other public buildings so they serve as focal points in the community for services and activities.
2. Foster positive links between public facilities and communities.
3. Involve the community in making decisions about the use of school buildings to ensure responsiveness to community needs.

SUPPORT SERVICES FOR STUDENTS AND FAMILIES

A comprehensive approach to education recognizes that children have physical, emotional and psychological needs that must be met if they are to perform well in school and reach their potential. At school sites, the school system provides for a variety of non-instructional services that support the system's educational mission. They can include: nutritious lunches, a school-based nurse, wellness centers, guidance counselors, psychological and crisis intervention services, pregnancy reduction programs, programs for students with chronic health problems, pre-schooler evaluations and services, and before and after school care. The schools coordinate with other agencies



Schools and libraries are landmarks that contribute to a community's sense of identity and cohesiveness.



for many of these support services, including the Department of Health, the Department of Social Services (DSS), the Department of Recreation and Parks, the Police Department, and the Baltimore County Library System (Map 8).

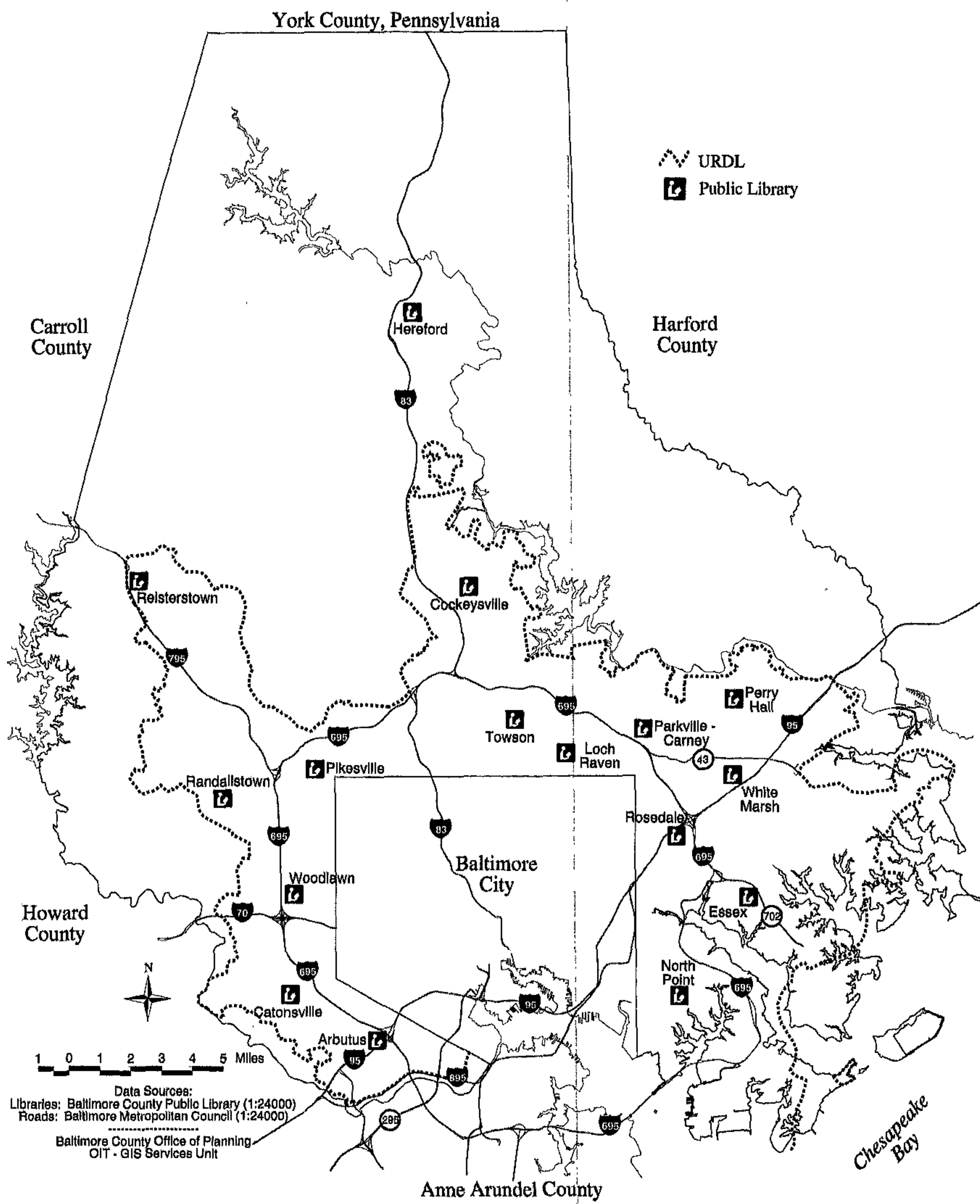
Issue: Ensuring School Readiness

What a child experiences during the first three years of life plays a critical part in determining how the child will function in school and in later life. Proper care and intellectual stimulation of children before age three provides a good foundation for the future. Conversely, the failure to adequately nurture and stimulate young children can limit their potential to succeed. Preventable health risks such as low birth weight, fetal alcohol syndrome, lead poisoning, and child abuse or neglect can permanently limit the child's development. The Department of Health, DSS, and Baltimore County Public Schools attempt to identify the families of children at risk for various problems in order to offer appropriate services or to intervene when necessary. The Baltimore County Library System contributes significantly to ensuring school readiness through various programs and outreach efforts such as programs that help families find access to resources, with a special emphasis on reading resources for preschool children.

An estimated 23,000 children in Baltimore County from birth to age 18 do not have health insurance or are underinsured. According to a 1997 report by the Centers for Disease Control and Prevention, "children with no health insurance were six times more likely to go without medical services and four times as likely to have their care delayed. We know that children with untreated illness are less able to learn and more likely to miss numerous days from school." The county has established a pilot program to identify uninsured young children, determine their eligibility for medical assistance or other medical insurance, and sign them up. The program focuses on families with children in elementary school and their siblings younger than school age and has been implemented at targeted schools in eastern Baltimore County.

The children of teenage parents are at risk for a variety of health and developmental problems. The risk may be compounded by the stresses of poverty, because adolescents are often not financially prepared for the responsibility of child rearing. While Baltimore County's adolescent birth rate is well below the national average, the several hundred children born

*WHAT A CHILD
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FUNCTION IN SCHOOL
AND IN LATER LIFE.*



MAP 8
PUBLIC LIBRARIES

to teenagers in the county each year are particularly vulnerable. Offering teenage parents support services and training in effective parenting skills can help mitigate the risk these children face.



Actions

1. Support efforts at the state and federal level to expand Head Start and other early childhood education programs.
2. Continue initiatives to discourage adolescent pregnancies and to improve adolescent parenting skills.
3. Continue and expand community-based programs that support adolescent parents and their preschool children, such as the Young Parents Support Center in Essex.
4. Develop and expand educational resources for parents concerning the developmental needs of infants, toddlers, and pre-schoolers, such as programs and materials provided by the county library system.
5. Strengthen and coordinate efforts to identify and assist families with children at risk.
6. Expand elementary school wellness centers to include children up to four years of age.
7. Identify uninsured children and seek to enroll them in Medicaid or other health insurance.

Issue: Educating Students with Disabilities in the Least Restrictive Environment

Educating students with disabilities in the least restrictive environment continues to be a major challenge mandated by federal and state laws and regulations. The Baltimore County Public Schools strive to allocate resources and staff to meet the instructional needs of students with disabilities and to provide an array of special education and related services in inclusive setting within neighborhood schools. Parents are recognized as important partners in planning each child's special education program.

Actions

1. Support and expand efforts to assist classroom teachers in resolving learning and behavioral difficulties experienced by their students.
2. Provide staffing to promote education of students with disabilities in neighborhood schools and when needed in public special education schools.
3. Strengthen and coordinate efforts to provide educational services and family support to the increasing number of students with disabilities involving behavior.

*BALTIMORE COUNTY
PUBLIC SCHOOLS
STRIVE TO MEET THE
INSTRUCTIONAL
NEEDS OF STUDENTS
WITH DISABILITIES
IN AN INCLUSIVE
SETTING WITHIN
NEIGHBORHOOD
SCHOOLS.*



4. Continue to expand accessibility in the public schools.
5. Continue to promote and support involvement of parents of students with disabilities in the schools.

Issue: Reducing Student Mobility

Student mobility refers to the school's student turnover rate for the school year (September through June). Mobility occurs when students transfer to another school because they have moved out of their school's zone. During the 1997-98 school year, 23 elementary schools, nine middle schools, and eight high schools in the Baltimore County system had mobility rates of 30% or greater.

Studies show that students who move frequently do not perform as well academically as students who do not move. Mobility disrupts the student's schooling and requires frequent adjustments to a new social environment. With school-based management, the timing of the curriculum can vary from school to school, so that transfer students may miss whole subject areas while having to repeat subjects already covered.

The negative effects of student mobility are reflected in lower scores on standardized tests. Some neighborhood advocacy groups have expressed concern that, because of mobility, schools with a large number of transient students tend to have lower overall test scores. The lower scores create a distorted perception of the quality of education in the school, adversely affecting the community's desirability to prospective homeowners.

*THE NEGATIVE
EFFECTS OF STUDENT
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REFLECTED IN
LOWER SCORES ON
STANDARDIZED TESTS.*

Processing the paperwork for student transfers is difficult and often delays the student's admission to a new school. Valuable class time is lost. School administrators frequently find it difficult to get students' records, particularly those transferring from other jurisdictions. The transfer is complicated by the fact that school grading methods, school records such as report cards, and the format of individual education plans have not been standardized, particularly among elementary schools. Interjurisdictional transfers are further complicated by the fact that different school systems start the school year on different days.

Several elementary and middle schools in the Essex-Middle River area have established a "Stay Put" program intended to encourage families not to move. The main focus is to educate parents about the educational benefits



to their children of not moving. Program staff also work with apartment complex managers, who frequently offer rent incentives which induce families to move, to educate them about the benefits of having a stable tenant population and to enlist their support in promoting the value of residential stability for school children.

Actions

1. Conduct a targeted public information campaign to educate parents about the importance of keeping their children in the same school for at least a year at a time.
2. Work with rental housing property managers to reduce family mobility during the school year.
3. Interview parents of transfer students to determine why they are moving. Develop a database to help shape effective policies in response to student mobility.
4. Examine the feasibility of providing shuttle buses or other transportation for high mobility schools to keep students from having to transfer during the school year.
5. Investigate ways to standardize the paperwork and expedite the process for school transfers, both within Baltimore County and among the jurisdictions in the region, such as using an automated system that could be accessed by different school systems.

Issue: Reducing Chronic Absenteeism from School

Chronic truants may be defined as those students who are absent twenty or more days in one school year. These students have generally experienced little academic success and have failed one or more grades. They also usually lack substantial support from parents, and in many cases their parents were not academically successful. Chronic truants often have many contacts with juvenile services for a variety of offenses. They have often developed an attitude of disengagement.

The Baltimore County Public Schools, the state Department of Juvenile Justice and the Baltimore County Police Department have identified three school "clusters" where chronic truancy among middle and high school students is a serious problem. It has been the experience of these schools that techniques generally effective at boosting attendance (daily phone calls, personal contact with parents, rewards, and incentives) may not work for chronic truants.

*CHRONIC TRUANTS
HAVE GENERALLY
EXPERIENCED LITTLE
ACADEMIC SUCCESS
AND LACK
SUBSTANTIAL
SUPPORT FROM
PARENTS.*



As an alternative, Project Attend was developed and tested in the three school clusters by the three agencies. The objectives are to improve attendance among chronically truant students and reduce their contacts with police. The program involves working with each student to identify the source of the truant behavior and prepare a plan of action. Community and service agency support is provided to the student and the family to help make the plan work. The program, which was made available to all secondary schools in 1997-98, has been successful in significantly reducing both absenteeism and lawbreaking behavior by students referred to the program.

Action

Continue Project Attend where chronic truancy needs to be addressed and develop the program with site based administrators.

Issue: Reducing Dropout Rates

In Maryland, 4.03% of high school students dropped out of school in the 1997-98 school year. Over 50 percent of the state's welfare clients did not finish high school. Nationally, over 70 percent of people who are incarcerated are school dropouts. Only 11 percent of school dropouts are able to find full time jobs paying more than poverty wages. These statistics point to a serious statewide and national problem that could affect the health of Baltimore County and the well-being of its residents. Factors that contribute to students' decisions to leave school include: poverty, lack of adult support, lack of relevance of school to the child's life, lack of alternative educational models, family and financial pressures, failure in early years of school, peer group influence, and inflexible policies in the school system.

Baltimore County is fortunate to have a declining school dropout rate and a diminishing proportion of adults who did not finish high school. The 1997-98 dropout rate was 2.19%. The county should be proud of this accomplishment, and at the same time keep up the momentum, striving to get all of the county's children successfully through high school.

Actions

1. Strengthen efforts to identify students who are at risk for dropping out of school.
2. Intervene in the early grades when a child exhibits difficulty learning; effectively identify and address each child's learning barriers.
3. Continue to provide alternative venues for out of school youth to continue learning and to achieve the equivalent of a high school diploma.

**BALTIMORE COUNTY
IS FORTUNATE TO
HAVE A DECLINING
SCHOOL DROPOUT
RATE AND A
DIMINISHING
PROPORTION OF
ADULTS WHO DID NOT
FINISH HIGH SCHOOL.**

**Issue: Encouraging Parent and Community Involvement
in Public Education**



Parents play a crucial role in their children's success at school. Regular contact between parents and teachers keeps parents aware of the child's progress and involved in setting goals, so that they are better able to help, guide, and encourage the child at home. School system policy places responsibility on the local school for actively engaging parents in their children's education.

Some parents may not be able or are not motivated to give their children the educational support they need for a variety of reasons. They may lack functional skills in basic areas such as reading and math. They may not appreciate the value of education or the importance of their role in their child's schooling.

Reading and interpreting information, completing forms, and performing mathematical calculations are tasks that most Americans need to perform on a daily basis. Yet nearly a quarter of American adults cannot accomplish even the simplest of these tasks without difficulty. These types of tasks comprise functional literacy. Poor literacy skills can limit a person's ability to get and keep a job, manage a household, assist children with homework, and handle a variety of everyday challenges, such as reading a bus schedule.

In 1998-99 the Community College of Baltimore County (CCBC) and the public school system jointly offered the Adult Basic Education program. In 1999-2000 the CCBC will be responsible for the program. The Adult Basic Education program provides literacy education to various groups in different settings. Some of these programs are collaborations with businesses, other county agencies, or non-profit organizations. Adult basic education classes help students upgrade their skills so that they can eventually attend a general education degree (GED) class and attain a high school diploma.

Effective communication between the school administration and communities is needed to foster community support of the public school system. The Baltimore County Public Schools maintain two types of citizens advisory groups. There are five educational advisory councils that advise the Baltimore County Board of Education and serve specific geographic areas. In addition, there are seven advisory committees (Special Education, Technology Education, Adult Education, Gifted and Talented Education, Magnet Schools, Student Service

*REGULAR CONTACT
BETWEEN PARENTS
AND TEACHERS KEEPS
PARENTS AWARE OF
THE CHILD'S
PROGRESS AND
INVOLVED IN
SETTING GOALS.*



Learning Programs, and African American Education) that advise the superintendent.

Actions

1. Continue school-based outreach to parents and guardians encouraging them to come to the school to help plan and/or review the program of studies, grade transition, extracurricular plans, and progress of their children.
2. Continue to make parents feel welcome in their child's school by providing flexibility in scheduling conferences and by making the school building a hub of community activities and family services.
3. Provide school-based parenting programs. Involve the appropriate community agency personnel in providing training, counseling services and information to parents.
4. Continue to provide adult literacy programs, particularly to parents. Expand the school system's initiative that works with the whole family on literacy skills. Strive to attain a high level of literacy for every adult in Baltimore County.
5. Provide well-publicized forums for community input into the decision-making process on issues affecting schools.
6. To make communication between communities and the school administration more effective, review methods of appointing members to the educational advisory councils; clarify and communicate to citizens the responsibilities, authority, structure, and operating procedures of the educational advisory councils.

THE SKILL LEVEL OF THE LOCAL WORK FORCE IS SOMETIMES THE CRITICAL FACTOR IN A COMPANY'S DECISION TO LOCATE OR REMAIN IN AN AREA.

Issue: Providing Work Force Development

An educated work force is essential for the success of economic and community conservation goals. Gainfully employed individuals contribute significantly to the tax base and the maintenance of their homes and communities. The skill level of the local work force is sometimes the critical factor in a company's decision to locate or remain in an area. Baltimore County businesses report that the quality and availability of labor are among their top concerns. Work force education begins at the earliest stages and is based on a strong system of public education. Baltimore County provides numerous programs that address workforce education.

The CCBC offer the Adult Basic Education Program, which assists adults who have difficulty reading or writing in English or solving simple quantitative

problems. They also provide affordable classes in a wide variety of subjects for adult enrichment. The CCBC is a system of three public campuses, Catonsville Campus, Dundalk Campus, and Essex Campus, that anticipate and respond to the educational, training, and employment needs of Baltimore County and the region. The colleges offer a broad array of transfer and career programs and services, including general education, basic skills instruction, arts and science courses, career education, employment skills training, and enrichment courses.



The Baltimore County Office of Employment and Training (OET) provides a number of employment and training programs and services, including the Reemployment Assistance Center for dislocated workers, and Career Connections, a comprehensive school-to-career transition program. The center provides individualized counseling, job search and placement information, resume preparation, and workshops and seminars to address unemployment issues, and opportunities for career training.

The Baltimore County Manufacturing Training Consortium is a new initiative to recruit students for manufacturing careers and ensure that they are academically prepared for the positions available within the local manufacturing industry. The consortium is a cooperative partnership among the Community Colleges of Baltimore County, the Baltimore County Public School System, OET, the Department of Economic Development, the Regional Manufacturing Institute, and the local chambers of commerce.

Under Maryland's new Family Investment Program, which replaces the federal entitlement program Aid to Families with Dependent Children, local jurisdictions are responsible for helping clients on public assistance find jobs. The county Department of Social Services (DSS), which coordinates this effort in the county through the Baltimore County Jobs Program, provides job readiness training, structured job search workshops, and programs to serve clients with physical and mental disabilities. OET also administers occupational training programs for public assistance recipients.

The Baltimore County Library system continues to serve as the "people's university," providing materials for the ongoing development of knowledge and skills needed to compete in a changing work environment. The library has worked with OET to provide a large array of electronic resources on



Close coordination among Baltimore County's education and business communities will ensure the development of a top-notch work force.



*SCHOOLS CAN PLAY
A SPECIAL ROLE BY
HELPING STUDENTS
DEVELOP INTO CIVIC-
MINDED ADULTS
WHO WANT TO
CONTRIBUTE TO
THEIR COMMUNITIES.*

employment and training opportunities available to the public over the Internet. In addition, many branches offer resume software and programs on how to conduct a job search.

Action

Continue to strengthen ties between business and educational institutions at all levels to bring about a coordinated system of basic and career education, training, and retraining for all parts of the work force. Encourage the joint development of specific internship and work study programs by businesses and schools.

Issue: Improving Civic Education Services

Citizen involvement is a critical component of maintaining strong communities. Fostering positive citizenship is a job for the whole community, including businesses, civic organizations, and government. Schools, libraries, and community colleges can provide not only informational resources to support civic involvement, such as computers and Internet access, but also physical spaces in the community where community meetings and other civic activities can occur. Schools can play a special role by helping students develop into civic-minded adults who want to make a contribution to their communities.

To be effective advocates, citizens need to be well informed about government services and functions, and they need a variety of community organizing skills. The Office of Planning, the Office of Community Conservation, and other government and nonprofit agencies can provide forums and resources to help build the organizational capacities of neighborhood associations.

Action

Facilitate citizen involvement through training in the zoning, land management, and development review processes, and in community organizing, grant writing, and leadership skills:

- Revise and expand the high school civics curriculum.
- Establish a clearinghouse for information on how to establish a community association.
- Create an information system for permits, development projects, and hearings.



- Conduct periodic seminars in conjunction with Continuing Education Programs.
- Ensure that information resources are accessible and easily understandable by the intended audience.
- Continue to expand the coordination of electronic services of libraries, schools, colleges, and other institutions in the region.

PUBLIC SAFETY

Strong communities are places where people feel safe from harm. Baltimore County's Police and Fire Departments respond to a variety of threats that put the lives, health, and possessions of citizens in jeopardy, including crime, accidents, fires, and natural emergencies (Maps 9 and 10).

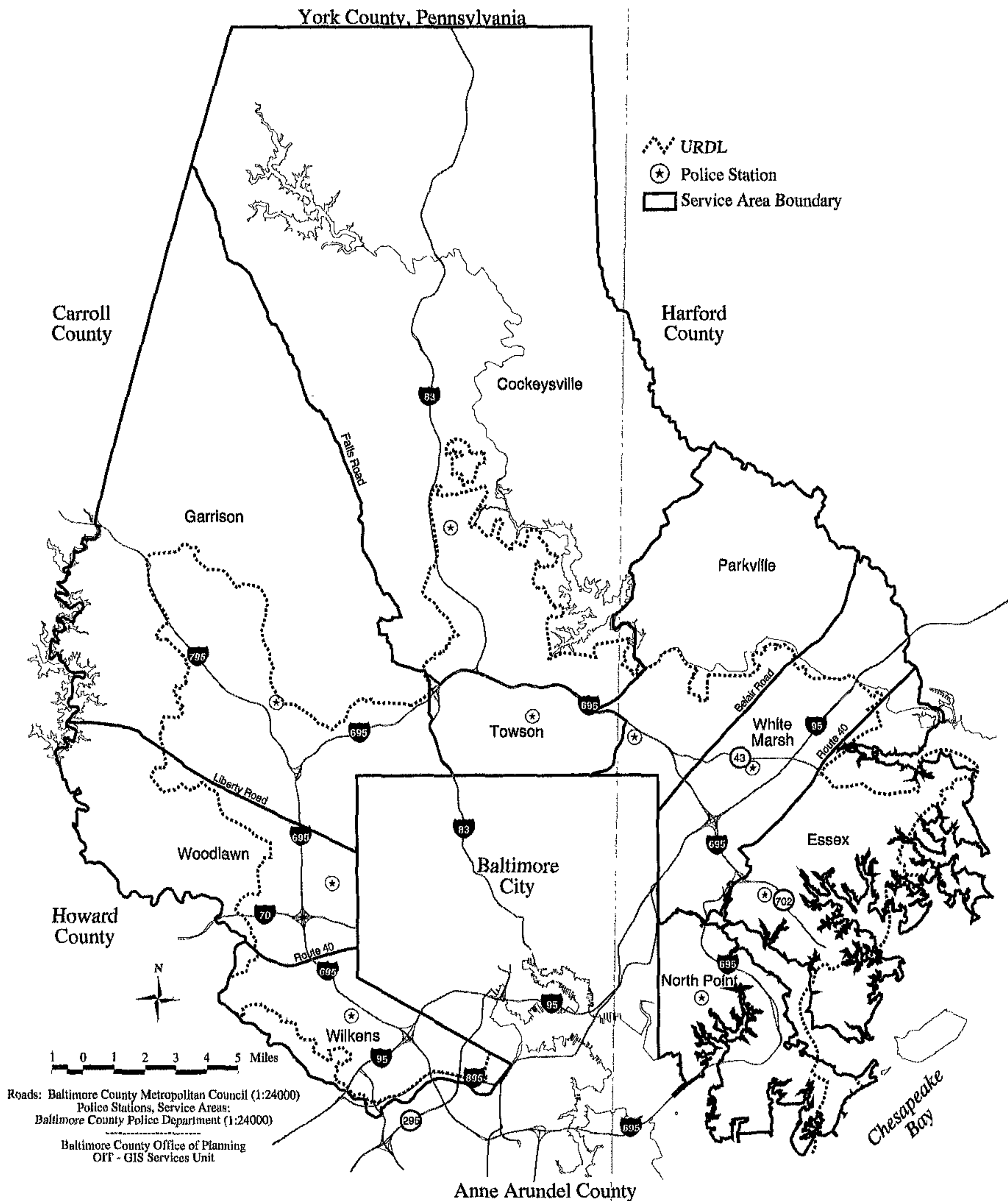
The county's public safety strategy is based on prevention, so that human suffering, property damage, and the financial cost of injuries and lost work time can be effectively minimized. A prevention-oriented approach requires coordination among public and private agencies to enforce various safety standards, implement safety improvements, educate the public about safety hazards and crime prevention, and address the social and economic problems that contribute to criminal behavior.

Even with the county's prevention strategy, public safety emergencies will continue to occur. The Baltimore County Police Department, Fire Department, and Volunteer Firemen's Association and its member volunteer fire, rescue, emergency medical and rehabilitation service companies provide an effective, coordinated response to these emergencies.

POLICIES

- Pursue a prevention-oriented public safety strategy that involves effective coordination among public and private agencies.
- Focus special attention on youth for crime prevention, conflict resolution, and alternative sanctions for non-violent criminal behavior.
- Enforce the law vigorously, cooperating with other regional jurisdictions and using new technologies to identify, apprehend and effectively prosecute criminals.
- Reduce the opportunity for crime by promoting safety-oriented environmental design in development projects.

*THE COUNTY
WILL PURSUE A
PREVENTION-
ORIENTED PUBLIC
SAFETY STRATEGY
THAT INVOLVES
EFFECTIVE
COORDINATION
AMONG PUBLIC AND
PRIVATE AGENCIES.*



MAP 9
POLICE STATIONS AND SERVICE AREAS



- Standardize communication systems within the region.
- Continue vigorous enforcement of fire safety codes with particular attention to inspections of child care facilities.
- Continue the “Learn not to Burn” program to prevent fire related injuries to children.
- Provide Community Outreach programs to reduce accidental poisoning and head injuries for children.

Issue: Reducing Crime by Adolescents

In more than 33% of the arrests for serious crime, those arrested are juveniles. A study of juvenile arrests from 1992 through 1995 found that the peak age of juvenile offenders was 16. The four most common offenses for which young people were arrested in 1992 and 1993 were shoplifting, destruction of property, common assault, and motor vehicle theft. Marijuana possession became the fourth most common juvenile offense in 1994 and 1995, bumping motor vehicle theft to fifth place. A small number of young people are responsible for most of the juvenile crime in Baltimore County; among the juveniles arrested for crimes in 1995, 70% had prior arrest records.

A study by the State Office of Juvenile Justice and Delinquency Prevention (OJJDP) reported that many juvenile crime prevention programs have failed because they focused on punitive approaches to reducing child delinquency. Positive approaches emphasizing constructive opportunities for children were found to be much more successful. The OJJDP study also found that narrow approaches to prevention taken in isolation were less effective than comprehensive approaches involving the larger community. Prevention programs were most successful when they identified and reduced risk factors.

Among the recommendations of the OJJDP study, many of them aimed at the schools, are reductions in class size for kindergarten and first grade classes, and a “continuous progress” instruction strategy which allows each child to progress at his or her own pace. The school system has established and is studying the continuous progress model at three elementary schools.

Several collaborative programs designed to prevent crime and promote positive community relations among juveniles have been established among county agencies. Probably the most well known are: the popular Police Athletic League Recreation Center (PAL) program, which provides

**COUNTY AGENCIES
HAVE ESTABLISHED
SEVERAL PROGRAMS
DESIGNED TO
PREVENT JUVENILE
CRIME AND PROMOTE
POSITIVE COMMUNITY
RELATIONS.**



recreational activities and adult attention to disadvantaged young people; and the Drug Abuse Resistance Education (DARE) program, which involves a curriculum on drug abuse taught by police officers in county schools. Less well known is a collaboration between the police and the school system called Help Increase the Peace Program (HIPP). HIPP is a school-based program involving student retreats and other activities geared toward promoting conflict resolution, positive inter-group relations, and school violence prevention.

A proposed collaboration between the Police Department and the school system is the nationally recognized School Resource Officer (SRO) Program. School resource officers are specially trained police personnel who work as adjunct school staff members as well as law enforcement officials in a variety of capacities. They teach students about the lifelong effects of drug and alcohol abuse, assist school administrators in diagnosing law enforcement problems, and deter misbehavior by being visible throughout the school day and at after school activities, and build positive trusting relationships with students.

Another program called JOINS (Juvenile Offenders in Need of Supervision) targets first time minor, non-violent juvenile offenders, such as shoplifters. The program provides for restitution by young first-time offenders in lieu of criminal prosecution. Its purpose is to divert young offenders from the formal court system and prevent the recurrence of criminal behavior. The JOINS program currently focuses on two precincts, Wilkens and Woodlawn, and has been very effective.

Actions

1. Monitor and reinforce positive behaviors in school such as attendance, academic progress, and discipline.
2. Provide youth employment and vocational training programs with an intensive educational component.
3. Provide structured recreation and other activities, such as the PAL programs.
4. Provide school personnel with in-service training on classroom behavior management techniques (aggression management training).
5. Evaluate effectiveness of peer mediation; continue to provide conflict resolution and violence prevention curriculums (such as HIPP).
6. Provide mentoring opportunities for children that include behavior management techniques.

*ACTIONS FOR
REDUCING CRIME
BY ADOLESCENTS
INCLUDE STRUCTURED
RECREATION AND
OTHER ACTIVITIES,
SUCH AS THE PAL
PROGRAMS.*



7. Expand the successful JOINS program.
8. Continue and evaluate DARE.
9. Implement and evaluate the SRO program.

Issue: Reducing Drug and Alcohol Abuse

In 1998, there were 5,048 arrests in Baltimore County for which the person arrested was charged with possession of illegal drugs. The most common drug was marijuana/hashish, followed in order by cocaine/crack, heroin, and LSD. There were 3,603 client admissions to Baltimore County drug and alcohol abuse treatment programs in fiscal year 1997, a 9% increase from fiscal year 1996.

Drug and alcohol abuse contributes to crimes such as domestic violence that threaten the life and health of citizens, and nuisance problems that undermine the quality of life and stability of neighborhoods. Substance abuse also undermines workplace productivity and the stability of families. While drunk driving has decreased, in part through effective community education efforts, alcohol is still a factor in motor vehicle fatalities. Open-air drug markets pose a major threat to the neighborhoods where they take hold, creating a negative community image that can discourage reinvestment by homeowners and businesses.

Actions

1. Work with neighborhood associations to identify people or properties involved with drug dealing.
2. Aggressively and strategically pursue sanctions against drug dealers including criminal prosecution, forfeiture of property, and enforcement of drug nuisance abatement laws.
3. Target drug buyers for arrest and prosecution to undermine drug markets.
4. Continue and expand drug treatment programs implemented through the Baltimore County Health Department so that they are widely available. Develop a plan to guide the location and management of drug and alcohol treatment programs, methadone clinics, and other similar facilities in ways that are sensitive to neighborhood concerns.
5. Undertake a public information campaign to discourage substance abuse and encourage people to get treatment.
6. Continue to expand the Maryland Student Assistance Program's identification, data collection, intervention, and referral services for students and their families.

**DRUG AND ALCOHOL
ABUSE CONTRIBUTES
TO CRIMES AND
NUISANCE PROBLEMS
THAT UNDERMINE
THE STABILITY OF
FAMILIES AND
NEIGHBORHOODS.**

7. Continue to provide small community based prevention programs including the Substance Abuse Prevention Community Grant Empowerment Program.

**Issue: Reducing Maintenance of Order Calls**

Maintenance of order calls to the police involve problems such as domestic disturbances, drunk and disorderly conduct, loud parties and other noise, and loitering. These types of incidents may result in serious physical harm to people or property and they can have a damaging effect on neighborhoods. Where they persist, some neighbors eventually move away. A single household can quickly disrupt a whole block, resulting in the loss of several families, the decline of property values, and the destabilization of a community.

Actions

1. Work with community groups and landlords to reinforce sanctions against nuisance behavior.
2. Expand and publicize the Baltimore County Mediation Program, which helps to address conflicts among neighbors.

Issue: Promoting Community-Based Policing and Community Involvement

Community-based policing can assist in reducing crime and improving quality of life, particularly when police work in partnership with human service agencies, residents, businesses, and active neighborhood associations. Foot patrol officers create a visible presence on the street, which can help discourage crime. When the same officers are present in a neighborhood on a regular basis they get to know residents and can quickly determine who is involved in criminal activity. They can more readily see criminal issues in the context of the specific neighborhood and family conditions, intervening before community or family dysfunction leads to criminal behavior. Their positive interactions with youth can help to counter negative influences.

*COMMUNITY-BASED
POLICING CAN ASSIST
IN REDUCING CRIME
AND IMPROVING
QUALITY OF LIFE.*

Punishment alone will not solve all the criminal justice problems. Social science researchers are exploring the notion that social norms play an important part in peoples' commitment to the law. People obey laws not just because they fear punishment but because they believe that government has the right to tell them how to behave and because they believe the laws are enforced fairly.



Actions

1. Continue to develop individualized strategies addressing the specific law enforcement problems faced by different communities.
2. Continue cooperative efforts among the Police Department, the Office of Community Conservation and neighborhood associations to reduce crime and revitalize older neighborhoods, including such programs as Neighborhood Watch and Citizens on Patrol.
3. Explore law enforcement strategies that employ an understanding of social norms to foster law abiding behavior and support for the police.
4. Where needed, use foot patrols to establish a consistently recognizable police presence in the community.
5. Focus on crime prevention through community building activities such as community fairs, block parties, and Pride In Our Neighborhood campaigns.

Issue: Promoting Safety through Effective Environmental Design

The physical environment influences safety. Working together, planners and safety experts have identified environmental design principles that can be applied to create “defensible spaces.” For example, parking lots should be placed in view of windows to create opportunities for surveillance. While the people inside the building will not be constantly watching the parking lot, people in the lot will know that their behavior could be observed. This knowledge not only discourages criminal activity but also makes everyone feel safer.

Actions

1. Continue the collaboration between the planning office and the Police Department to educate the public about Crime Prevention Through Environmental Design (CPTED).
2. Prepare design guidelines based on CPTED principles for inclusion in the Comprehensive Manual of Development Policies (CMDP).
3. Consider CPTED principles in the design of county facilities, and in the review of all site plans for new development.



This development incorporated CPTED principles by orienting residences toward the open space, allowing for natural surveillance.

Issue: Fire Safety Inspection Programs

In the 1980's, following a tragic fire in Baltimore County, legislation was adopted to require that Fire Safety Inspections be conducted as part of the licensing process for all home child care facilities. In conjunction with similar inspection programs for apartments, the county has successfully maintained a low fire death rate for many years.



The Fire Safety Inspection program also includes apartments and all types of business occupancies. At present, over 2,500 apartment complexes and in excess of 17,000 businesses are inspected by the Fire Department. The primary focus of the apartment inspection program is to reduce the loss of life. The conducting of inspections within businesses can reduce the possibility of fires that frequently result in the loss of jobs and property. Continued vigilant enforcement of fire prevention codes and regulations is necessary to prevent or minimize fire hazards to citizens and property.

Actions

1. Ensure that proper time intervals are maintained between Fire Safety Inspections for all applicable building uses and occupancies.
2. Monitor the building industry's technological advancements to ensure occupant and firefighter safety in the event of fire.
3. Continue to enforce and improve local codes, laws, and regulations designed to prevent or minimize fire hazards.

Issue: Prevention of Burn Injury to Children

The best method of treating a burn patient is by preventing the injury from occurring. The Fire Department provides the "Learn not to Burn" message to the young people of Baltimore County to help prevent burn injury and death in children. In 1998, 622 Fire Safety Education programs were held, reaching over 122,000 citizens.

Actions

1. Ensure that every child has received the "Learn not to Burn" program by grade four.
2. Reinforce the need for fire escape planning and practice by conducting fire drills at every school during National Fire Prevention Week.
3. Conduct fire safety activities and contests at the elementary school level to reinforce fire safety practices.

Issue: Prevention and Severity Reduction of Head Injuries in Children

Accidents are the leading cause of death in children. While improvements in emergency medical care have reduced deaths from accidents, head injuries continue to plague our younger citizens. Serious head injury, even if death is averted, can result in a significantly lower quality of life for accident victims. The Fire Department, in partnership with area hospitals, works to reduce head injuries by educating children and their parents about

*CONTINUED
VIGILANT
ENFORCEMENT OF
FIRE PREVENTION
CODES AND
REGULATIONS IS
NECESSARY TO
PREVENT OR
MINIMIZE FIRE
HAZARDS TO
CITIZENS AND
PROPERTY.*



the importance of using helmets when bike riding and playing sports, and the importance of using child safety restraints in motor vehicles.

Actions

1. Provide accident prevention programs to elementary school students to ensure voluntary compliance with helmet laws.
2. Work cooperatively with area hospitals to educate citizens about the importance of helmets and automobile child safety restraints in preventing accidental injuries.

PUBLIC HEALTH AND SOCIAL SERVICES

Healthy communities require individuals and families who function independently and interdependently to identify their common problems and to work together to solve them. Neighborhoods begin to show signs of distress when residents become isolated from each other or become hostile in their interactions. Differences in cultural norms and social values can threaten the social fabric of a community. Poverty diminishes the energy and resources that families need to address their problems.

A neighborhood's strength is also affected by the physical and mental health of its residents. Community residents who are in optimum health are better able to care for themselves and participate in community life. Likewise, the development of preventable diseases, unhealthy behaviors, illnesses that go undetected and untreated, and disabilities that are not minimized, not only cause human suffering but also create dependence, and limit what people can give to others.

**BALTIMORE COUNTY
HAS A STRONG,
COMPREHENSIVE
SYSTEM TO ADDRESS
THE HEALTH AND
SOCIAL SERVICE NEEDS
OF ITS CITIZENS.**

Baltimore County has a strong, comprehensive system to address many of the health and social service needs of its citizens. It includes partnerships among government, and for-profit and non-profit organizations. Within county government, health and social services to groups with special needs are primarily provided by the Department of Health, the Department of Social Services (DSS), and the Department of Aging.

POLICIES

- Continue to ensure that services are effective, efficient, and responsive.
- Continue to anticipate and address issues that could affect vulnerable segments of the population, particularly children and seniors.

ISSUES AND ACTIONS



Several issues are likely to have a big impact on public health and social services in Baltimore County during the next decade: the continuing rapid growth of the county's senior population; the gap between health costs and affordability for many county families; the nationwide emphasis on efficiency in the delivery of health and human services; and fundamental changes in the national approach to social welfare.

Issue: Expanding Services for Seniors

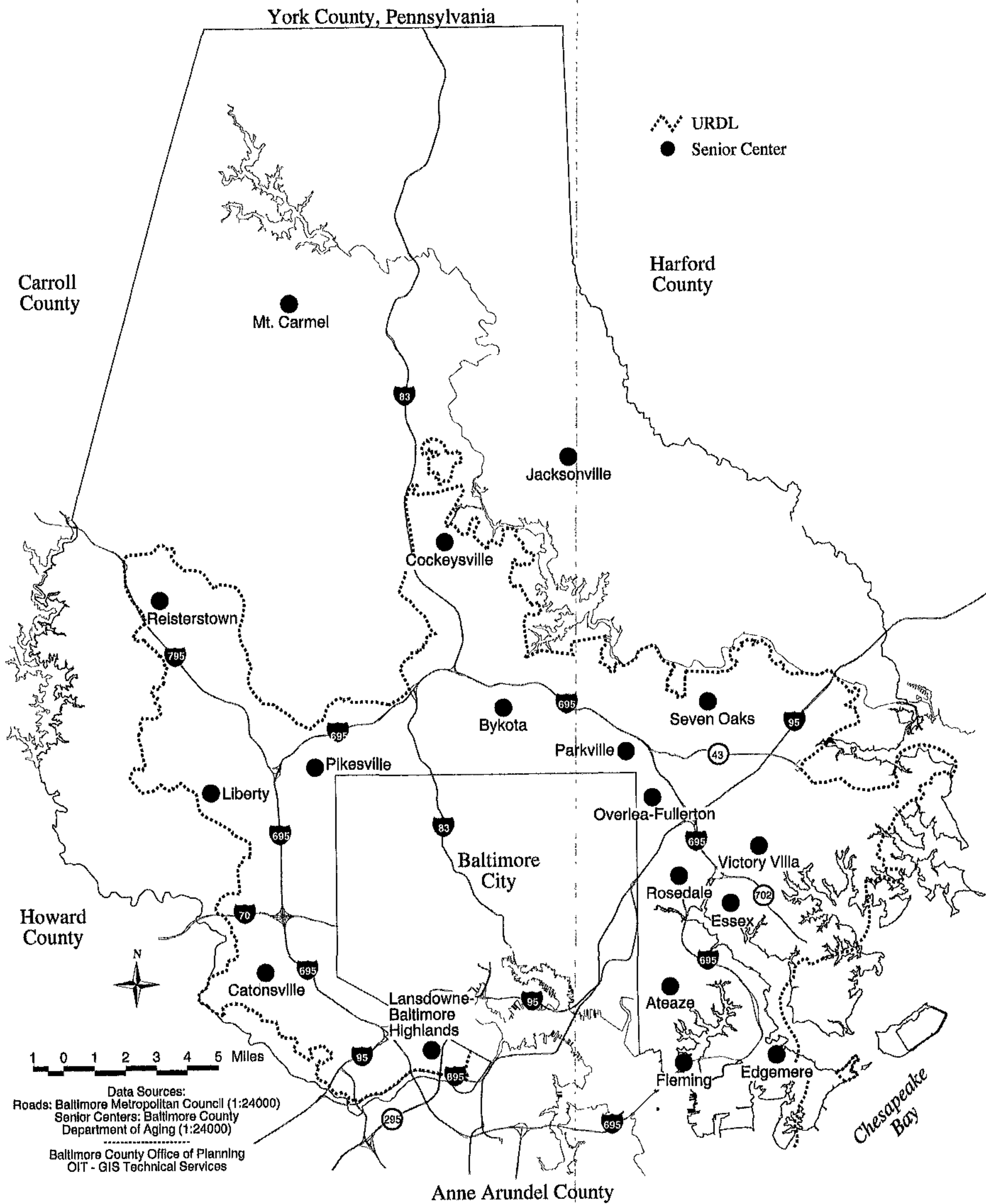
In 1998, there were an estimated 106,903 citizens over 65 years of age in Baltimore County, who represent 14.8% of the total population. The number of seniors is increasing and the proportion will continue to grow in the short term, accelerating at the beginning of the next decade as the baby boom generation begins to reach maturity. Migration of residents from Baltimore City to Baltimore County will also add more seniors to the county's population. In addition, the percentage of the senior population that is 85 years of age or older is increasing as changes in health care, nutrition, and services result in longer life spans.

This growth in the number of seniors will result in a greater need for services, placing more demands on the Department of Aging and other agencies that assist senior citizens (Map 11). Because of the growth in the number of very old seniors, these agencies will see more demand from frail seniors who are living independently (not in institutions). In addition, as the baby boomers become seniors, the county will see a new generation of senior citizens with different demands and expectations.

The development of a continuum of care that allows seniors to remain at least semi-independently in the community as long as possible rather than entering an institution has long been a goal of advocates for seniors. Not only is it typically better in terms of the individual elderly person's sense of well-being to remain in the community, but it costs less to provide services in the community than it does in an institution. In addition, seniors are increasingly looking for alternative housing options that meet their needs and enable them to continue living independently as long as possible. New multi-family housing designed for seniors can respond to this demand, but such intensive development can have a large impact on residential communities and community infrastructure.



The demand for services to senior citizens will increase as the elderly population grows.



MAP 11
SENIOR CENTERS

Actions

1. Prepare a comprehensive plan assessing the current and future needs of senior county residents for housing, transportation, adult day care, and other services.
2. Create policies and incentives to encourage the private market to develop affordable housing for seniors, including assisted housing.
3. Amend the zoning regulations to encourage the development of senior housing along commercial corridors.

**TRANSPORTATION****INTRODUCTION**

The goals of Baltimore County's transportation strategy are to provide and maintain the infrastructure that supports the diverse travel needs of county citizens and visitors, foster responsible land use decisions, and provide for the county's economic growth strategies. Land use and the transportation system must be coordinated to ensure that the system and land use are compatible and that the system can accommodate the potential travel demands placed upon it.

Baltimore City developed in the classic radial "star" pattern, which laid the framework for the development of Baltimore County. Radial arterial highways – such as Baltimore National Pike, Liberty Road, Reisterstown Road, York Road, Belair Road, and Pulaski Highway – provide radial access to the county. The Baltimore Beltway (I-695), the county's circumferential connector, is designed to carry large volumes of high-speed traffic. The arterial highways provide the "spokes" of the "beltway wheel" and allow for through trips into Baltimore City. Collector roads provide the link between the arterial network and local streets. Interstates I-83 and I-95 provide access to the north and south, while I-70 provides access to the west.

In addition to roadways, the transportation system also consists of transit services provided by the state, county, and the private sector. The state provides Mass Transit Administration (MTA) services consisting of fixed route bus service, express bus routes, paratransit service for people with disabilities, light rail, Maryland Rail Commuter (MARC), and the Baltimore



The Baltimore Beltway provides the circumferential connection of the county's radial roadway network.

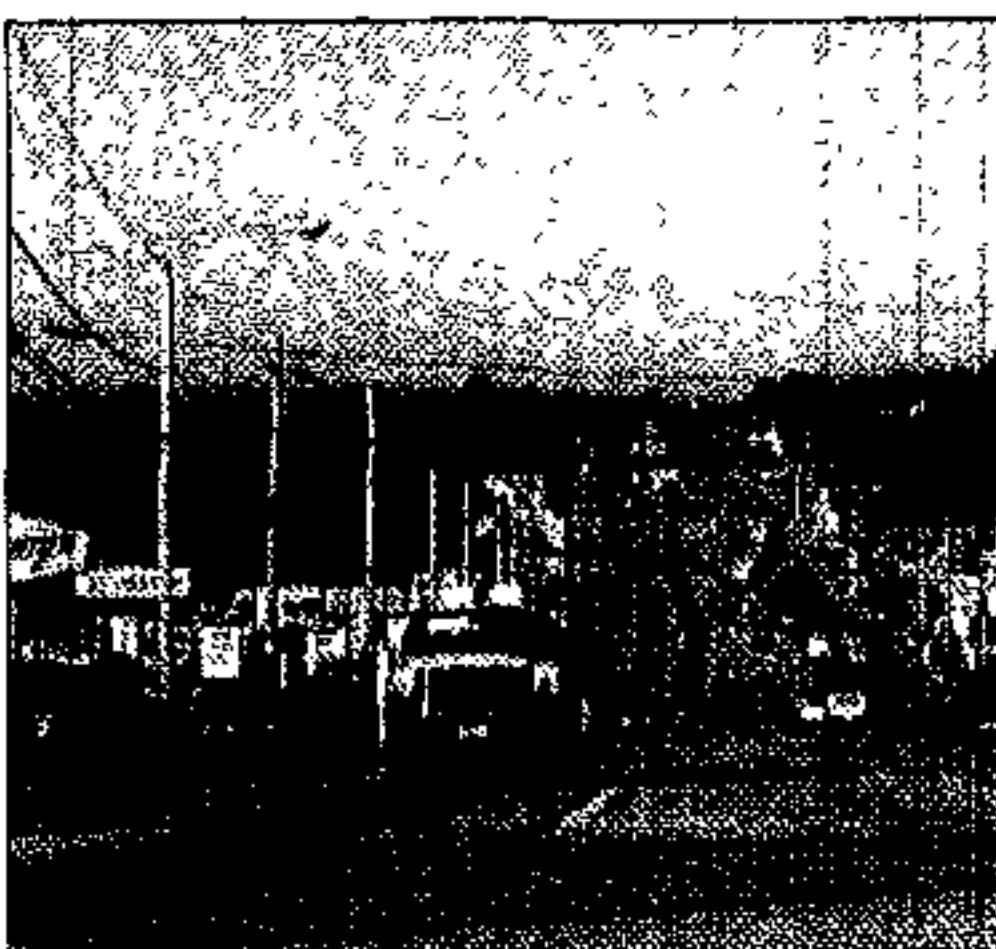


Metro (subway-heavy rail) (Maps 12, 13, and 14). Dedicated freight rail lines also operate within the county. Baltimore County sponsors CountyRide, a paratransit service, which provides transportation for people with disabilities, seniors, and citizens living in the county's rural areas. A number of private sector firms also provide paratransit services in the county.

Baltimore County's 173 miles of shoreline provides water access for business and recreation use. The Port of Baltimore is an integral part of the economic development strategy of the state and the Baltimore region (Map 14). Although the majority of the port facilities are located in Baltimore City, the Bethlehem Steel complex, Dundalk Marine Terminal, and certain storage warehouses are located within the county. The county's transportation infrastructure is instrumental in moving goods shipped through the port.

Martin State Airport is a major facility with approximately 120,000 flight operations per year. Large corporations such as Black and Decker, McCormick & Co., and Lockheed Martin use the airport for corporate travel needs. The Baltimore County Marine Police, Baltimore City Police, Air National Guard, Medevac, television news channels 11, 13, and 45, and over 200 privately owned aircraft are based at the airport. Baltimore Air Park (White Marsh) and Essex Skypark (Back River Neck) are privately owned facilities serving small airplanes (Map 14).

Bicycle travel within the county is mostly recreational and facilities such as the Numbers Eight and Nine Trolley Trails and North Central Rail Trail are heavily used. Pedestrian travel occurs primarily within older communities that have extensive sidewalk systems and are in close proximity to businesses and schools. The Towson Urban Center is also pedestrian friendly due to its concentration of mixed uses.



One of the major challenges facing Baltimore County is accommodating the increased demands placed on its radial roadway network.

One of the major challenges facing Baltimore County's transportation system through the year 2010 will be accommodating the increased demands placed on its radial roadway network, which no longer matches predominant commuting patterns. Historically, commuter trips occurred between county suburbs and the Central Business District of Baltimore City, but the Baltimore region experienced a 17% increase in population and a 45% increase in employers between 1970 and 1995. Consequently, there has been a shift from suburb-to-city to suburb-to-suburb commuting patterns, and commuters have frequently had to adapt to circuitous and inefficient travel patterns.

Constructing an outer beltway to facilitate cross county movement is no longer being considered. It is cost prohibitive, in conflict with the county's rural strategy, and would create tremendous pressure to develop within the connected radial "spokes."



Ninety percent of all travel in the county is made in private automobiles. Residents, workers, and businesses rely upon the roadway network to provide vehicular access to a wide range of activities: shopping; day care; sporting events and recreational sites; employment; social functions; local and national markets; medical appointments; raw materials; and many other miscellaneous services and events. Two thousand nine hundred miles of roadway provide the infrastructure to serve the mobility needs of residents, but roadway capacity has not kept pace with demand. Drivers in the region spend an average of 31 hours per year in congested traffic, up from 13 hours in 1982. Traffic congestion negatively affects quality of life, and makes it more expensive to do business. In addition to the loss of time and money, congestion affects air quality. Vehicle emissions are a significant source of carbon monoxide emissions and the Baltimore region is a nonattainment area for carbon monoxide, and a severe nonattainment area for ozone. Additionally, the era of the family car has been replaced by the era of the personal car. In most two wage-earner families, each spouse commutes to a different location, relying on their own personal vehicle.

The county's dispersed suburban land use pattern has limited the ability to provide transit service to workplaces, shopping, day care, and other destinations. In addition, there is a perception among citizens that transit facilitates increased criminal activity. Recent police cooperation between Baltimore County and the MTA has enhanced public safety. Educating citizens about the benefits of transit and transportation options can assist in the success of these alternatives. Providing transportation alternatives will also benefit citizens whose ability to drive is limited, such as youths and seniors.

Since the adoption of the 1989-2000 master plan, significant federal and state legislation has been adopted that has altered the way transportation strategies and projects have been implemented. Adopted legislation includes: the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA); the Clean Air Act Amendments of 1990 (CAAA); the Maryland Economic Growth, Resource Protection, and Planning Act of 1992; the Smart Growth

*THE COUNTY'S
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and Neighborhood Conservation legislation of 1997; and the Transportation Equity Act for the 21st Century (TEA21), adopted in 1998. The early federal legislation helped focus Maryland's effort to link transportation with land use. Baltimore County's commitment to participating in the regional transportation planning process meets federal requirements, and addresses state, regional, and county priorities.

The mandates identified in ISTEA have been reinforced by TEA21 and the recent state legislation, and coincide with the proposed policies of *Master Plan 2010*, including:

- Preserving and maintain the existing transportation system;
- Linking transportation strategies to land use planning;
- Giving equal consideration to non-highway projects;
- Undertaking air quality conformance analysis;
- Economic Development factors in the decision-making process;
- Making transportation strategies fiscally responsible; and
- Establishing a legitimate citizen participation process.

Master Plan 2010 recognizes the need to provide significant infrastructure investment to address the daily demands placed upon the county's roadways. This investment includes maintenance, upgrades, and congestion management strategies that have the potential to lessen demand on the system. Emphasis will be on maintenance of the existing system, and making it operate more efficiently, however, some new roads for areas, such as Owings Mills, Perry Hall-White Marsh, and the Middle River Development Area, will be required. Roadway improvements recommended in *Master Plan 2010* support growth management and land use policies by reinforcing the county's commitment to focus growth inside the URDL. The Intelligent Transportation System (ITS) initiatives for the Baltimore region will assist in maximizing efficiency of the roadway system. These initiatives, several of which are currently being implemented, will provide roadway users with routing and intermodal connection choices.

While the personal automobile will remain the primary mode of transportation into the 21st century, the need to provide realistic transportation choices is becoming imperative. In the past, building more roads and adding more lanes seemed to be the solution to congestion. This approach alone is no longer environmentally, economically, or politically feasible. Alleviating or

TRANSPORTATION
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IT OPERATE MORE
EFFICIENTLY.

preventing congestion is better accomplished through a combination of highway capacity improvements, management of existing services and facilities, and implementation of alternative strategies. These strategies could include encouraging telecommuting, improving transit and linkages to transit, constructing neo-traditional development and redevelopment projects, improving bicycle and pedestrian facilities and linkages, constructing additional park and ride lots, and improving the efficiency of the existing roadway network through the implementation of ITS technologies. Solutions to meeting the transportation needs of the future will likely involve a comprehensive approach using a combination of strategies.



POLICIES

- Continue existing efforts to coordinate land use and transportation planning, as has been done in the designated growth areas, so that the transportation system can accommodate potential travel demand.
- Invest in new transportation infrastructure to support the master plan economic development initiatives, like those proposed for the Middle River Employment Area.
- Continue efforts to develop a comprehensive transit system, with emphasis on improving suburb-to-suburb transit options.
- Continue to improve bicycle and pedestrian linkages within and between residential and commercial areas and transit.
- Continue to refine traffic management techniques that help to make the existing transportation system more efficient.
- Eliminate funding for road projects that support or encourage sprawl outside the URDL.
- Evaluate the County road design standards for both the urban and rural sectors.
- Develop meaningful rural road standards that maintain the rural characteristics of the non-urban part of the County.
- Develop rational road design standards for residential, commercial and industrial developments.
- Encourage time shifting by large employers to spread traffic over peak hours.



The county will continue efforts to develop a comprehensive transit system, with emphasis on improving suburb-to-suburb transit options.

ISSUES AND ACTIONS

Issues and actions relating to the county's transportation system include topics such as coordinating land use and transportation planning, developing



a comprehensive transit system, providing bicycle and pedestrian facilities, and managing traffic within communities. At the end of this section, a list of recommended transportation projects is provided. While implementing many of the recommended actions will be the responsibility of the Department of Public Works, most of them will need to be considered in light of community planning and community conservation activities.

Issue: Coordinating Land Use and Transportation Planning

The county should continue to establish and maintain land uses that support alternatives to commuting by automobile and limit suburban sprawl. This includes land use patterns, which support living near employment and transit, bicycle, and pedestrian access.

Actions

1. Plan for growth and redevelopment areas to contain a mix of commercial, residential, recreational, and institutional uses.
2. Promote a mix of land uses at transit hubs and employment centers that encourage transit and rideshare use.
3. Make transportation a component of all community and revitalization area plans and economic development strategies considering the role of transit, and other transportation alternatives.
4. Undertake parking reduction strategies for those developments with access to transit centers.
5. Plan for interconnecting streets and provide for multiple vehicular access points to communities to avoid concentrating traffic onto the collector system.
6. Strengthen the provisions of the development regulations regarding preservation of rights-of-way and clarify those provisions of the regulations regarding master plan conflict.
7. Change land use policy and design criteria to facilitate safer transit facilities; implement "Crime Prevention Through Environmental Design" techniques.
8. Coordinate transportation and land use to ensure the provision of adequate noise and visual buffers.
9. Recognize in all planning efforts the special transportation needs of people with disabilities, seniors, and youths.
10. Encourage private partnerships to increase public transit ridership and job access.
11. As part of future economic development programs for major employers, consider transportation initiatives with employer participation and



The county will promote land use patterns which support transit use.

sponsorship to encourage greater use of public transit and improve job access.



Issue: Updating Baltimore County's Functional Classification Map

Functional classification is a process of defining how individual roads fit into a system, and how the system fits into the entire transportation network. For example, the Federal Functional Classification Maps (FFCM) classify roads as interstates, principal and minor arterials, and major and minor collectors. These groups can be subclassified based on the number of trips served, the areas served, and/or their operational characteristics. Individual roads operate as one link in a hierarchical network.

Baltimore County's Functional Classification Map (BCFCM) has not been updated since 1976. In the interim, Baltimore County has been using the FFCM, which was last adopted in 1992. The purpose and objective of the FFCM is to administer the Federal Aid Highway Program. Baltimore County uses funding from this program to maintain its transportation network. It is in Baltimore County's interest to participate in updating the FFCM as necessary.

The county should adopt a separate map for land use planning purposes. This new map would use the FFCM as a base and would replace the BCFCM. The county can add subclassifications under defined federal functional classifications for local use only. This will allow the linkage of county land use and other policy decisions to the transportation system. The zoning regulations, the Comprehensive Manual of Development Policies (CMDP), and the landscape manual would refer to this new map, which would integrate land use with transportation.

Actions

1. Adopt and periodically update a BCFCM.
2. Evaluate potential uses for a BCFCM including:
 - criteria for locating certain land uses relative to specific road designations;
 - development of road cross-sections and other design standards based on functional classification; and
 - creating policies regarding the implementation of community traffic management strategies, parking initiatives, and the location of transit oriented developments.

*ADOPTION OF A
COUNTY FUNCTIONAL
CLASSIFICATION MAP
WILL ALLOW THE
LINKAGE OF COUNTY
LAND USE AND OTHER
POLICY DECISIONS TO
THE TRANSPORTATION
SYSTEM.*



Issue: Developing a Comprehensive Transit System

Baltimore County's transit system provides several local and regional transportation options, most of which are operated by the state. In addition to the facilities and programs listed below, there are a number of paratransit services, which are small transit services provided by institutions, nonprofit organizations and employers. Some paratransit services may receive state funding.

State-Operated Transit

- bus service
- light rail
- Metro
- MARC commuter rail
- ridesharing programs
- park-and-ride lots
- van services for the disabled
- future—high occupancy vehicle lanes being considered for I-695 and I-95

County-Operated Transit

- CountyRide van service for seniors and the mobility impaired.

A strong transit infrastructure enhances the quality of life for every county resident by strengthening access to employment opportunities, improving the health of the environment, contributing to the county's economic development efforts, and supporting efficient land use decisions (Smart Growth).

In order to attract riders, transit service needs to provide a reasonable and convenient alternative to the personal automobile. The system must include the means for users to access the transit service from their home and destination. It is likely that a transit user will have to use more than one mode of transit to get to their destination. For example, the user may drive to a light rail stop, ride the rail downtown, catch a bus, then walk to a final destination. Intermodal connections are important when providing transit service—if the links are not continuous, it becomes inconvenient and impractical for people to use.

In addition, transit routes have been established in a radial fashion from the city into the county, with little cross-county connection. Today, more

***A STRONG TRANSIT
INFRASTRUCTURE
STRENGTHENS ACCESS
TO EMPLOYMENT
OPPORTUNITIES,
IMPROVES THE
HEALTH OF THE
ENVIRONMENT, AND
SUPPORTS SMART
GROWTH.***

commuters travel within the county between suburbs for work and other pursuits. The lack of cross-county transportation options promotes use of single occupant vehicles. Improvement of suburb-to-suburb transit opportunities should be investigated. This will involve greater use of intermodal connections.



Actions

1. Implement methods to make transit more usable and desirable for commuting.
2. Implement strategies to ensure the safety and well being of transit riders and the communities to which transit provides access.
3. Work with the Maryland Department of Transportation (MDOT) to develop appropriate transit services to meet the needs of the county's employers, communities, and the region.
4. Work with MTA and the State Highway Administration (SHA) to develop a system of safe, convenient park-and-ride lots to encourage use of rideshare and transit services.
5. Plan community circulation systems to effectively feed into arterial transit routes.
6. Plan for an interconnected system of streets and sidewalks to ensure easy access to transit.
7. Explore using a mix (public/private, buses/vans) of transportation providers to meet the county's transit needs.
8. Determine if taxi and private services can be utilized to generate economic and transportation benefits.
9. Work with MDOT to determine how to retrofit existing transportation facilities in community conservation areas to include or improve transit service.
10. Provide transit services to community conservation and revitalization areas to support these viable and attractive places to live, work, and shop. This effort should be undertaken with public safety as the key component.
11. Include a strong transit element in community plans and the CIP, and encourage MDOT to fund transit through its Consolidated Transportation Program (CTP).
12. Examine with MTA the feasibility of establishing mixed-use activities such as shopping, day care, small vendors and other services at park-and-ride lots, transit stations, and bus stops to encourage ridership. Also examine the provision of other amenities, such as bus shelters, benches, and public telephones.

*THE COUNTY WILL
INCLUDE A STRONG
TRANSIT ELEMENT IN
COMMUNITY PLANS
AND THE CIP.*



13. Participate in the MTA's Smart Growth Transit Program.
14. Encourage transit use, especially in the growth areas and the Towson Urban Area.
15. Encourage employees to live near their place of employment.

Issue: Ensuring the Provision and Review of Transit Facilities

The current zoning and development regulations require adequate provision of roads and their review by the county and the SHA (for state facilities); however, the same regulations require no such provision or review of transit facilities.

Actions

1. Amend the zoning and development regulations to require developers to provide facilities at transit stops where appropriate.
2. Allow the SHA and MTA to review development applications early in the development review process. Require developers to coordinate with the MTA in the early stages of a development project.
3. Examine with MTA appropriate amenities, such as bus shelters, benches and public telephones, that may be provided at park-and-ride lots and transit stops.
4. Require developers, through the established permit process, to incorporate transit-oriented site planning concepts in their projects.

Issue: Providing Bicycle Facilities

Bicycle facilities include off-road bike paths, on-road bike lanes, bicycle parking, and other facilities that make bicycling safer and more convenient such as bicycle safe storm drain grates. In 1977, Baltimore County adopted *A Bikeways Plan for Baltimore County* in response to the energy crisis of the mid-1970s. The plan designated a bicycle system, which relied primarily on shared use. The plan provided the first steps toward a comprehensive bicycle system, and should be expanded. Bicycle facilities that provide an adequate level of convenience, mobility, and safety for bicyclists at all levels of experience, and encourage bicycle trips for both recreational and utilitarian purposes, should be developed and maintained.

Actions

1. Develop a plan for a comprehensive bicycle network within the county that includes both on-road and off-road facilities, and provisions for parking.

*THE COUNTY WILL
DEVELOP A PLAN FOR
A COMPREHENSIVE
BICYCLE NETWORK
THAT INCLUDES BOTH
ON-ROAD AND OFF-
ROAD FACILITIES.*



2. Develop an outreach program to work with affected communities to resolve objections to bicycle trails, overcome misperceptions, and encourage usage.
3. Adopt consistent design standards to ensure safety and provide a pleasurable and convenient bicycle environment.
4. Construct only bicycle safe storm drain grates on all roadways.
5. Participate in local, state, federal, and private funding programs for the construction of bicycle facilities.
6. Consider concurrently constructing bicycle facilities whenever a state or county road is constructed or reconstructed. Maintenance operations, such as pavement overlays, may provide an opportunity to widen a roadway or shoulder for bicycle use.
7. Provide bicycle facilities in high-density developments, and at important origin and destination points, such as schools, shopping centers, rail stops, public facilities and major employment sites.
8. Assess the viability of bicycling as a commuting option.
9. Assist local organizations in developing bicycle facilities.

Issue: Providing Pedestrian Facilities

Pedestrian facilities include sidewalks and other types of pedestrian paths, and facilities that make walking safer and more convenient such as lighting, shelters, crosswalks, and crossing signals. Because of the heavy reliance on mobility by automobile, pedestrian needs are often overlooked. Pedestrian facilities can provide practical alternatives to the automobile by providing linkages from communities to local businesses and to local transit options. In addition to health benefits, walking provides citizens with an opportunity to spend more time in their community getting to know their neighbors. Establishing community ties in this manner enhances community conservation efforts.

Baltimore County and the state have been constructing new and redeveloped pedestrian facilities throughout the county. Many of these projects are part of road development/redevelopment projects, but are often simply improvements to existing systems. An extensive streetscape program was recently completed in the Towson Urban Center, which included paving, lighting, and landscape improvements. Recreational systems, such as the Patapsco Park trail and greenway projects are also underway. Pedestrian facilities that provide desirable levels of accessibility and safety for pedestrians, and encourage walking for both recreational and utilitarian purposes, should continue to be developed and maintained.

*BECAUSE OF THE
HEAVY RELIANCE
ON MOBILITY BY
AUTOMOBILE,
PEDESTRIAN NEEDS
ARE OFTEN
OVERLOOKED.*



Actions

1. Adopt a coordinated county policy for pedestrian facilities.
 - Require pedestrian facilities in all new development and redevelopment projects, in accordance with adopted design standards.
 - Include a pedestrian element in all community plans. Identify important origin and destination points, such as residential collector streets, schools, colleges, transit stops, shopping centers, libraries, post offices, and parks, and assess the need and feasibility of providing or improving sidewalks.
2. Coordinate with the Department of Public Works to adopt consistent design standards that ensure a safe, pleasurable, and convenient pedestrian environment. Incorporate those standards into the CMDP. Include standards for the following:
 - site design that encourages pedestrian use;
 - standards for walkway width, considering the amount of foot traffic and potential obstacles, such as utility poles;
 - facilities to improve safety such as crosswalks, pedestrian signals, raised medians, and lighting;
 - flexible design standards, which complement the existing or proposed design style of the area; and
 - design elements to encourage and support pedestrian activity such as special paving, landscaping, and street furniture (such as trash receptacles, bus shelters, benches, newspaper boxes, telephones).
3. Continue to complete missing links in the existing sidewalk network and create new connections in development and growth areas.
4. Install pedestrian crossing signage and strictly enforce pedestrian crossing laws.

*INCREASED TRAFFIC
VOLUMES AND
VEHICULAR SPEEDS
HAVE NEGATIVELY
IMPACTED THE
LIVABILITY OF MANY
RESIDENTIAL
COMMUNITIES.*

Issue: Managing Traffic within Communities

As congestion along the highway network has grown in frequency, magnitude, and duration, resourceful motorists have found bypass routes through local residential streets. Aggressive driving and a diminished respect for other motorists, pedestrians, traffic control devices and general “rules of the road” have become more common. Increased traffic volumes and vehicular speeds have negatively impacted the livability of many residential communities. Mitigation measures should be taken to ensure that community streets remain safe and compatible with the respective community.

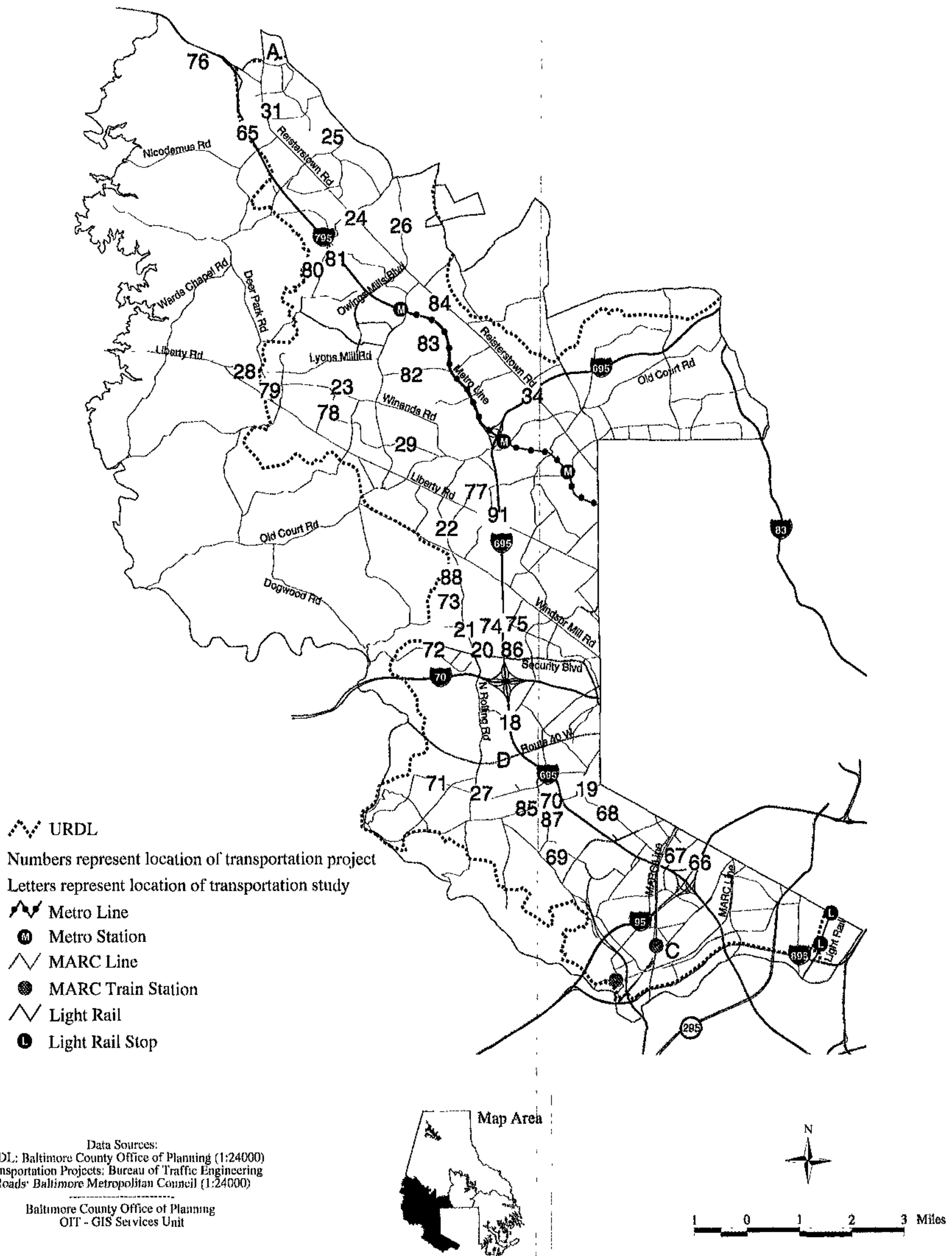
Actions

1. Ensure that the essential elements (links) of a highway network are in place to adequately serve travel demand.
2. Maintain and improve operational efficiency of the arterial and collector roadway at a level sufficient to diminish incentive for “short cutting.”
3. Working with affected communities, utilize appropriate traffic engineering strategies to manage traffic patterns in neighborhoods and to direct through traffic to remain on arterial and collector roadways.
4. Adopt traffic regulations sufficient to permit the safe operation of all roadways.
5. Encourage community participation in neighborhood based strategies to change behaviors of “local” drivers.
6. Address more serious and ongoing problems through aggressive enforcement and public information strategies including traffic calming techniques and the examination of new technologies with the potential for increased efficiency.

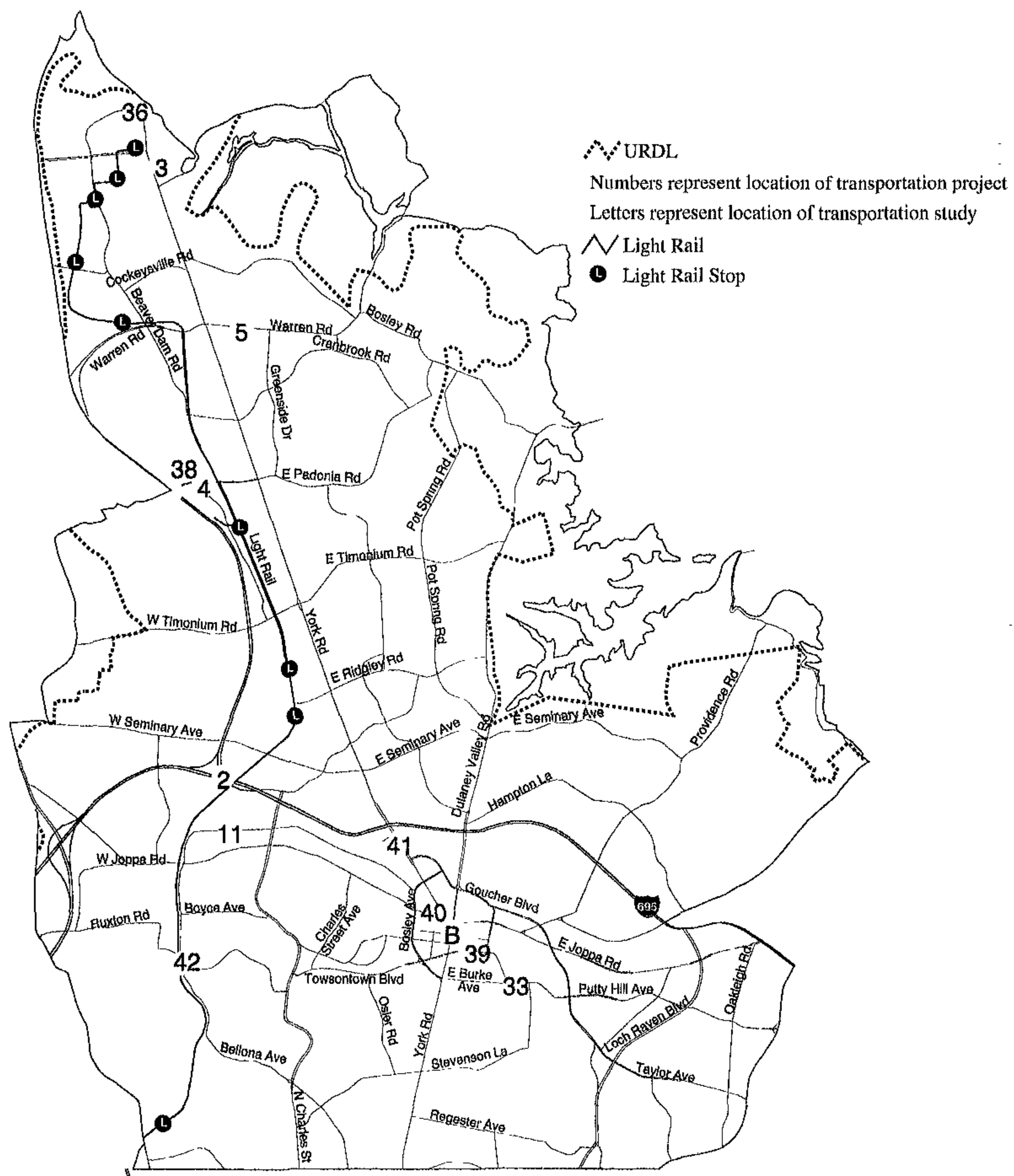
TRANSPORTATION PROJECTS AND STUDIES

The transportation projects and studies identified below are intended to improve the county’s transportation network under the established criteria for meeting future transportation needs. Projects identified in the master plan have preference for funding over projects not identified in the master plan. Additionally, Baltimore County intends to protect the necessary right-of-way for these transportation projects.

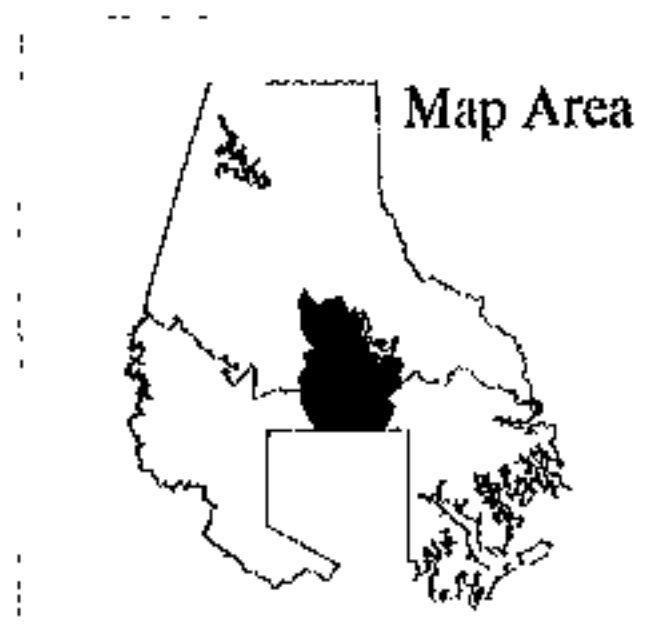
The transportation project list begins on page 96. The projects are divided into “projects in capital program” and “projects not in capital program” categories. The projects listed under “projects in capital program” are currently funded in Baltimore County’s Capital Improvement Program (CIP) or the Maryland Department of Transportation’s Consolidated Transportation Program (CTP). Projects listed under “projects not in capital program” are not currently funded in either capital program just mentioned. Transportation maps 12, 13, 14, and 15 show the general location for all transportation projects listed.



MAP 12
TRANSPORTATION-WESTERN SECTOR

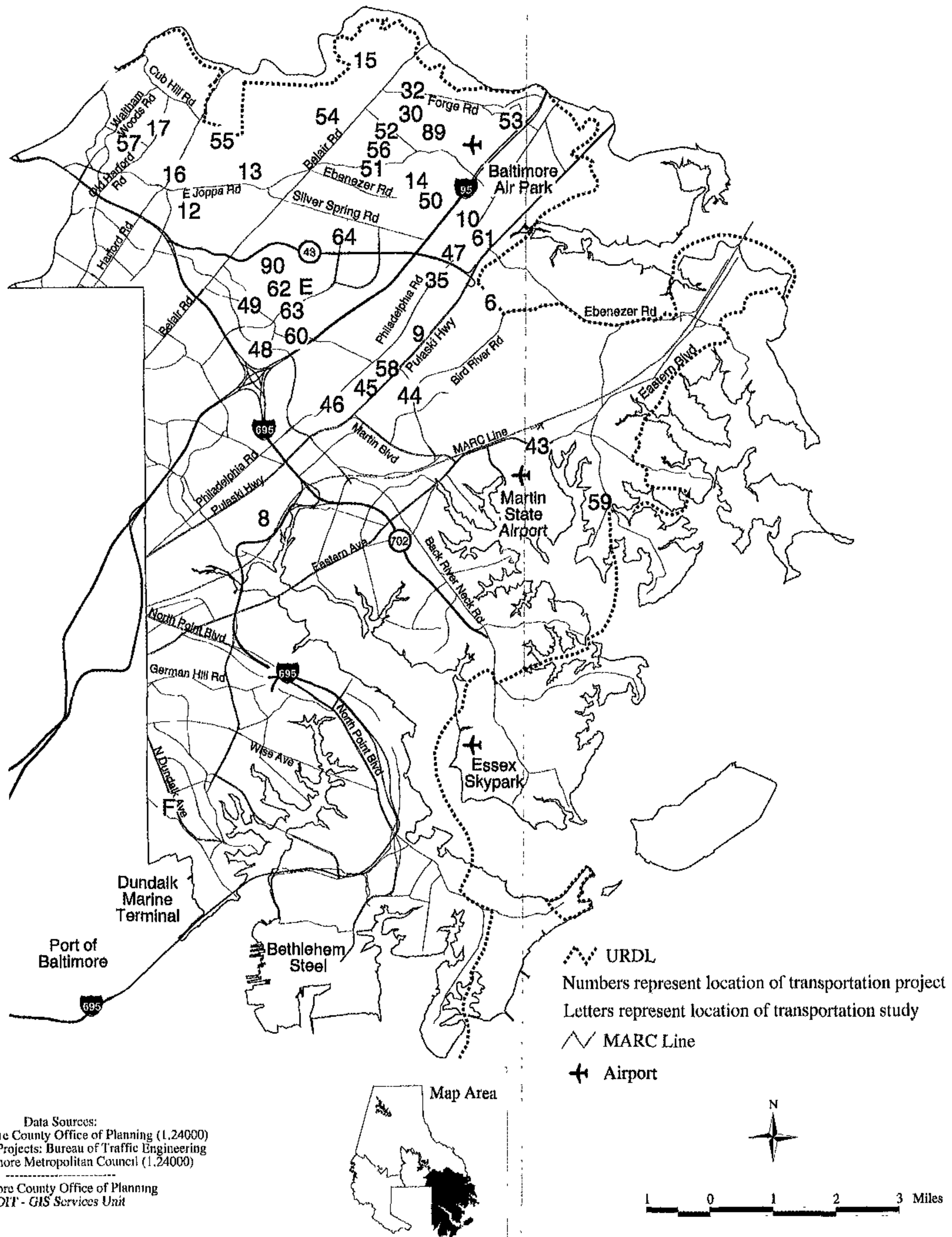


Data Sources:
URDL, Baltimore County Office of Planning (1:24000)
Transportation Projects, Bureau of Traffic Engineering
Roads, Baltimore Metropolitan Council (1:24000)
Baltimore County Office of Planning
OIT - GIS Services Unit

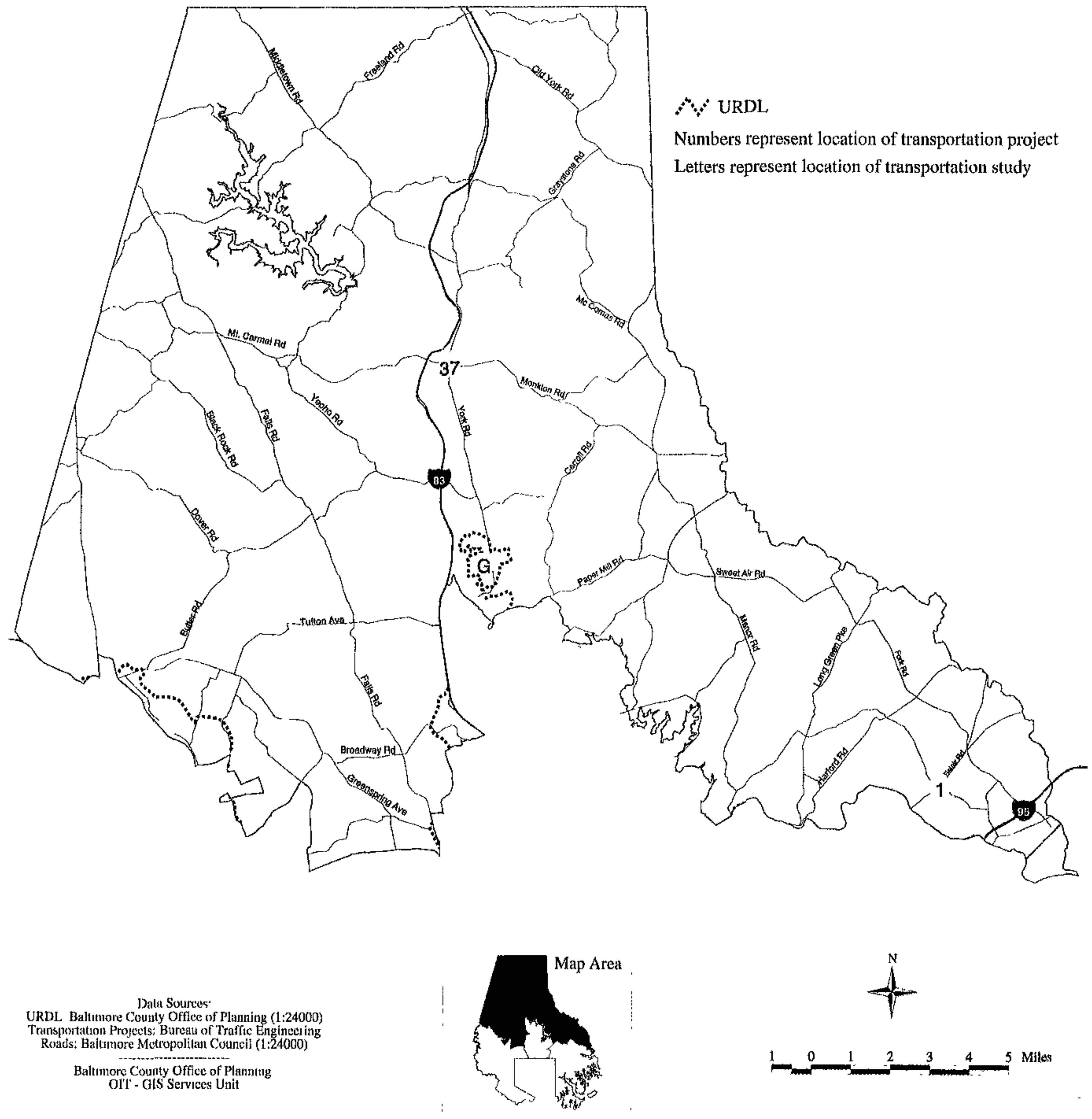


0.5 0 0.5 1 1.5 2 Miles

Map 13
TRANSPORTATION-CENTRAL SECTOR



Map 14
 TRANSPORTATION-EASTERN SECTOR



MAP 15
TRANSPORTATION-NORTHERN SECTOR



Table 14
PROJECTS IN CAPITAL PROGRAMS

Work Type

C = Construct

S = Study

U = Upgrade

W = Widen

R = Replace

PROJ. NO.	PROJECT NAME	LOCATION	WORK TYPE
1	Belair Road	White Marsh Boulevard to Harford County	W
2	Baltimore Beltway	Harrisburg Expressway to I-95	W
3	Paper Mill Road	Hunters Run Drive to York Road @ Shawan Road	C
4	Padonia Road	Deereco Road to York Road	U
5	Warren Road	York Road to Reservoir Property	U
6	White Marsh Boulevard	Pulaski Highway to Eastern Avenue	C
7	Trappe Road	North Point Road to North Point Boulevard	C
8	Kelso Drive	CSX to Pulaski Highway via Todds Lane	C/U
9	Campbell Boulevard	Philadelphia Road to White Marsh Boulevard ext.	C
10	Ebenezer Road	Realign at Cowenton Avenue	C
11	Bellona Avenue	Ruxton Crossing Road to Ridervale Road	U
12	Ridgely Avenue	Joppa Road to Orbitan Road	U
13	Walther Boulevard	Proctor Lane to Joppa Road	C
14	Honeygo Boulevard	Ebenezer Road to Belair Road	C
15	Gunview Road	North of Klausmier Road to Belair Road	C
16	Proctor Lane	Skylark Court to Harford Road	C
17	Old Harford Road	Matthews Drive to Cub Hill Road	W
18	Baltimore Beltway	I-95 to I-70	W
19	Symington Avenue	Frederick Avenue Northerly	U
20	Lord Baltimore Drive	Security Boulevard to Dogwood Road	C
21	Dogwood Road	Rolling Run Drive to Belmont Avenue	U
22	Rolling Road	Windsor Boulevard to Liberty Road	W
23	Owings Mills Boulevard	Lyons Mill Road to Liberty Road	C
24	Dolfield Boulevard	Northwest Expressway to Reisterstown Road	C
25	Cherry Hill Road	Extend to Owings Mills Boulevard	C
26	Owings Mills Boulevard	North of Crondall Lane to Bonita Avenue to Kendig Mill Road	W
27	Oakdale Avenue	Edmondson Avenue Northerly	U
28	Lyons Mill Road	Painters Mill Road to Liberty Road	W
29	Church Lane	McDonogh Road to Old Court Road	U
30	Cross Road	Forge Road to Chapel Road	W
31	Bond Avenue	New Avenue Easterly	U
32	Forge Road	Cross Road to Forge View Road	W
33	Hillen Road	Stevenson Lane to Fairmount Avenue	W
34	Baltimore Beltway	Interchange @ Reisterstown Road	U
35	Philadelphia Road	Campbell Boulevard to White Marsh Boulevard	U

Table 15
PROJECTS NOT IN CAPITAL PROGRAMS

**Work Type**

C = Construct

S = Study

U = Upgrade

W = Widen

R = Replace

PROJ. NO.	PROJECT NAME	LOCATION	WORK TYPE
36	York Road	Bridge over Western Run	R
37	Monkton Road	Relocation with Mt. Carmel Road	C
A	CSX Rail Commuter Study to Carroll County		S
38	Harrisburg Expressway	Interchange @ Padonia Road	U
39	Virginia Avenue	Pennsylvania Avenue to Joppa Road	U
40	Washington Avenue	Ware Avenue to Joppa Road	U
41	York Road	Bosley Avenue to Baltimore Beltway	U
42	Central Light Rail Line	Double Track	U
B	Towson Transit Access		S
43	Eastern Avenue	Martin Boulevard to White Marsh Boulevard	W
44	Transverse Road	Extend to Bird River Road	C
45	Yellow Brick Road	Extend to Middle River Road	C
46	Lennings Lane	Extend to Yellow Brick Road	C
47	Philadelphia Road	White Marsh Boulevard to Cowenton Avenue	U
48	Rossville Boulevard	Lillian Holt Drive to I-95	W
49	Ridge Road	Belair Road to Babikow Road	U
50	Cowenton Avenue	Joppa Road to Philadelphia Road	W
51	Joppa Road	Belair Road to Philadelphia Road	U
52	Chapel Road	Belair Road to Joppa Road	W
53	Forge Road	Forge View Road to Pulaski Highway	W/C
54	Klausmier Road	Gunview Road to Belair Road	U
55	Northwind Road	Harford Road to Walther Boulevard	W/C
56	Snyder Lane	Joppa Road to Chapel Road	W
57	Perring Road	Waltham Woods Road to Summit Road	C
58	Middle River Road	Philadelphia Road to CSX	U
59	Carrollwood Road	Extend to Clarks Point Road	C
60	Babikow Road	Ridge Road to King Avenue	U
61	Ebenezer Road	Philadelphia Road to Pulaski Highway	U
62	Bucks School House Road	Ridge Road to Perry Hall Boulevard	U
63	Perry Hall Boulevard	Rossville Boulevard to Honeygo Boulevard	W
64	Perry Hall Boulevard	Southfield Drive to Silver Spring Road	W
65	Northwest Expressway	Owings Mills Boulevard to Reisterstown Road	W
66	Vero Road	City Line to Washington Boulevard	C
67	Benson Avenue	City Line to Baltimore Beltway	U
68	Maiden Choice Lane	Wilkens Avenue to Frederick Road	U
69	Valley Road	Hilltop Road to Wilkens Avenue	W
70	Frederick Road	Rolling Road to Baltimore Beltway	U
71	Rockwell Avenue	Chalfonte Drive to Old Frederick Road	U
72	Security Boulevard	HCFA to Fairbrook Road	C



Table 15 Continued
PROJECTS NOT IN CAPITAL PROGRAMS

Work Type

C = Construct

S = Study

U = Upgrade

W = Widen

R = Replace

PROJ. NO.	PROJECT NAME	LOCATION	WORK TYPE
73	Fairbrook Road	Extend to Windsor Boulevard	C
74	Lord Baltimore Drive	South of Ambassador Road to Dogwood Road	C
75	Dogwood Road	Lord Baltimore Drive to Woodlawn Drive	U
76	Westminster Pike	Carroll County Line To Northwest Expressway	W
77	Milford Mill Road	Liberty Road To Washington Avenue	U
78	Allenswood Road	Southall Road To Collier Road	C
79	Deer Park Road	Liberty Road To Lyons Mill Road	W
80	Dolfield Boulevard	Northwest Expressway To Lyons Mill Road	C
81	Northwest Expressway	Interchange At Dolfield Boulevard	C
82	McDonogh Road	Painters Mill Road To Reisterstown Road	W
83	Red Run Boulevard	Extend To McDonogh Road	C
84	Reisterstown Road	Baltimore Beltway To Glyndon Drive	W
85	Orban Avenue	Extend to Egges Lane	C
86	Whitehead Road	Woodlawn Drive to Security Boulevard	U
87	Bloomingdale Avenue	Bloomsbury Avenue to Bishops Lane	U
88	Windsor Boulevard	Clays Lane to Fairbrook Road	C
C	Southwest Commuter Rail		S
D	Western Transit Study		S
89	Honeygo Collector	Forge Road to Chapel Road	C
E	White Marsh Transit Access		S
F	Dundalk Transit Access		S
90	White Marsh Road	Bucks School House Road to Perry Hall Easterly	U
G	Loveton Access Study		S
91	Baltimore Beltway	Interchange @ Liberty Road	U



DEPRM has worked with the Maryland Department of Natural Resources to verify the presence of the limited number of threatened or endangered species and their habitats that exist in the county. Many of the habitats for these sensitive species are protected through public ownership of wildlands and other environmental management areas such as Soldiers Delight, and through the public drinking water reservoir reservations and large state-owned lands along the Patapsco River and Gunpowder Falls systems. Any threats to sensitive plant or animal species elsewhere from land development are addressed through regulatory protection of the stream systems and priority forest retention areas.

POLICIES

- Protect the remaining natural resources and promote conservation of biological diversity.
- Restore lost or degraded ecosystem functions, particularly those related to watersheds and reservoirs.
- Foster environmental stewardship among residents, and within the region.

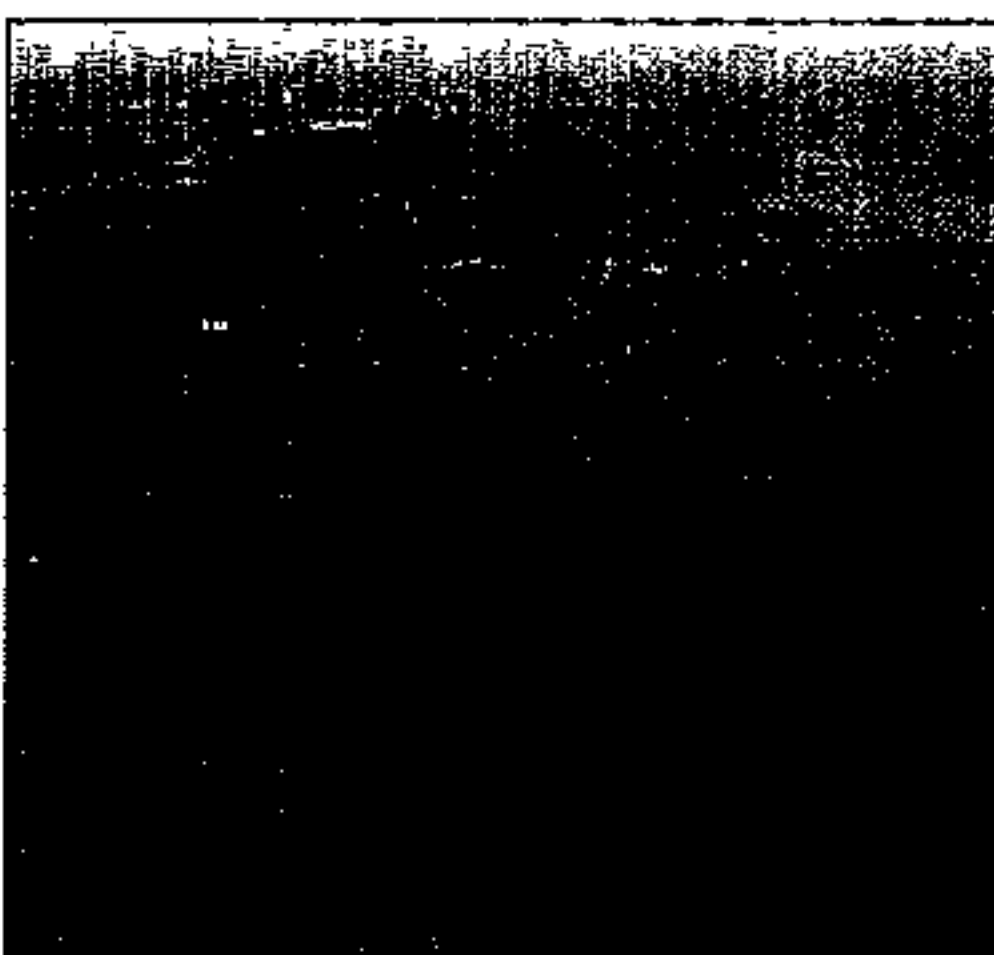
ISSUES AND ACTIONS

Managing the county's natural environment encompasses a wide variety of resources—wetlands, streams, reservoirs, forests, mineral deposits, ground water, the Chesapeake Bay, and the air. Additional issues to be addressed involve various forms of pollution, including radon, global warming, and noise.

Issue: Managing Baltimore County's Watersheds

Baltimore County contains 14 major watersheds, which are identified on the basis of local stream systems and drinking water reservoirs. Seven are part of the Gunpowder River basin and six comprise the Patapsco River basin (Map 19). A watershed is an area of land from which water drains to a stream, lake, or other water body. Watersheds are a useful framework for resource management because individual resource elements such as streams and forests are linked through ecosystem processes that operate to maintain the stability of the system.

Land use activities within watersheds impact the water quality of the streams associated with the watershed, and the water bodies downstream. For example, the clearing of forests increases runoff of storm water to streams,



Watershed studies provide the framework for natural resource management.



resources and restoration of lost or degraded ecosystem functions. Stream restoration, for example, not only helps maintain the water quality of the Chesapeake Bay and drinking water reservoirs, but also helps enhance aquatic habitat, reduce erosion, filter nutrients from runoff, and reduce county expenditures for the protection of infrastructure within stream systems such as sewer lines and bridge foundations. Retention of neighborhood environmental resources contributes to a higher quality of life within the county's urban areas. Natural resource features such as wooded areas, unique landforms, open spaces, and natural streams and rivers are vital ingredients of a well-balanced, livable community.

The Department of Environmental Protection and Resource Management (DEPRM) is primarily responsible for the management of Baltimore County's programs for the natural environment. DEPRM uses multiple approaches to accomplish its goals including land preservation, resource protection/regulation, restoration, facility maintenance, monitoring and research, and citizen education and participation. DEPRM's integrated resource management approach utilizes a watershed framework that addresses federal water quality mandates, and federal and state partnership initiatives for the restoration of the Chesapeake Bay and local priorities.

Sensitive Area Protection Compliance

Baltimore County is required under the Economic Growth, Resource Protection, and Planning Act of 1992 to incorporate a sensitive area protection element into its master plan. This element protects sensitive areas from the impacts of land development, including streams and their buffers, 100-year floodplains, habitats of threatened and endangered species, and steep slopes. Although not presented separately, the county has addressed protection of these resources in the detailed management elements that follow. In particular, Baltimore County's stream protection regulations, which have been acclaimed as a model by the Local Government Advisory Committee of the Chesapeake Bay Program, provide effective protection for stream channels and their 100-year floodplains, wetlands, and adjacent erodible and steep slopes. This comprehensive view of the "stream system" affords protection through sediment control, stormwater management, and forest conservation regulations. It further ensures that adverse economic effects of development in unsuitable locations will be avoided and that beneficial ecological functions of stream corridors - for water quality, channel stability, and habitat - will be maintained.

*RETENTION OF
NEIGHBORHOOD
ENVIRONMENTAL
RESOURCES
CONTRIBUTES TO A
HIGHER QUALITY OF
LIFE WITHIN THE
COUNTY'S URBAN
AREAS.*



Park, the Group Leadership Gifts and Grants Program, and the Community Assisted Enhancement of Facilities Program have allowed county residents to become actively involved in providing for their community's recreational needs. The resources obtained through these programs are not only an asset to the county, but a tangible source of civic pride.

Actions

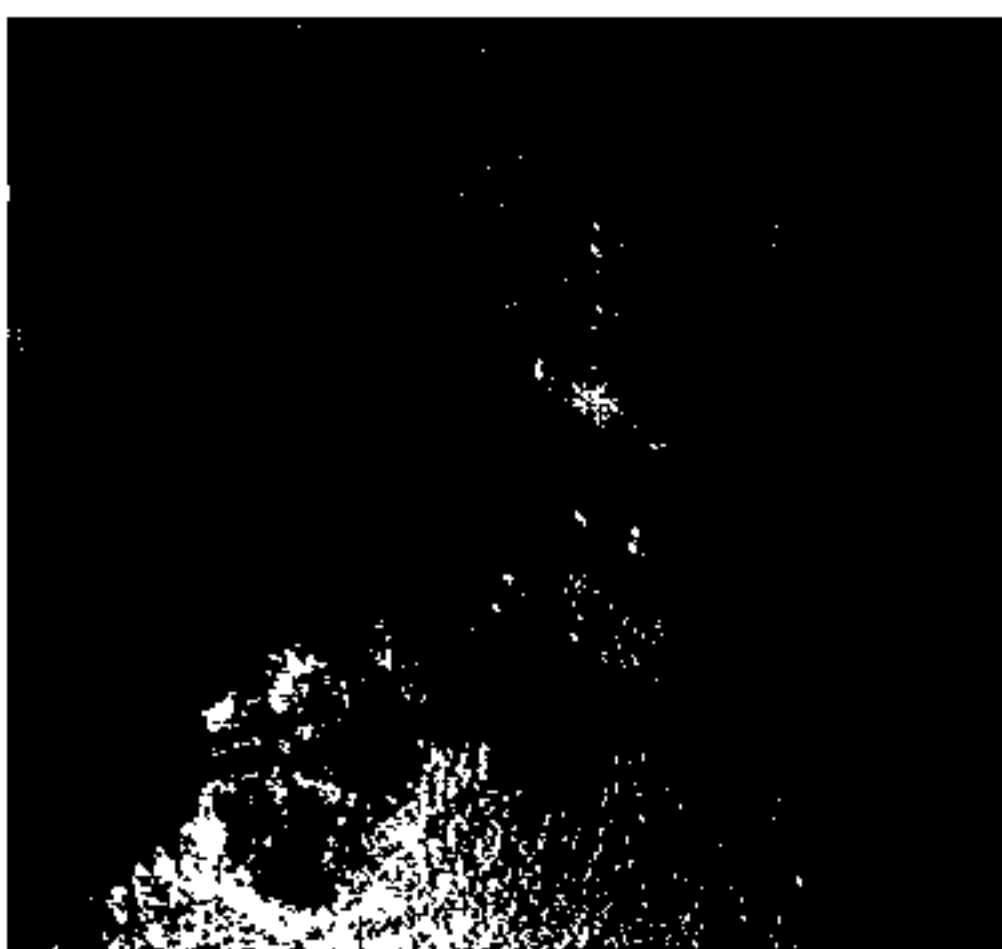
1. Seek public/private and public/non-profit partnerships for the acquisition, development, and management of park and recreation sites and facilities. Some possible partnerships include the following:
 - private development of large-scale facilities in exchange for a management lease of the site to the private entity; and
 - "sponsorship" of projects, whereby a private entity donates funds or services for the development of an amenity.
2. Aggressively pursue financial grants available through the federal government and other sources. Optimize county resources through cooperative efforts between county agencies. Work closely with citizen groups and Recreation and Parks Councils to assist in obtaining and administering community grants for recreation projects.
3. Continue to promote and participate in programs that rely on the support and self-sufficiency of the county's neighborhoods and communities.

NATURAL ENVIRONMENT

INTRODUCTION

Baltimore County's more than 600 square miles contains significant areas of forests, fertile soils, streams, wetlands, and tidal rivers of the Chesapeake Bay. These environmental features provide habitats for terrestrial and aquatic wildlife and support many human uses and needs, including recreation and life-sustaining drinking water, food, and clean air.

The county's land management approach, which concentrates development into the urban area, is both efficient in that it maximizes public investment, and environmentally progressive in that it protects the county's remaining natural resources. While this approach is environmentally sensitive, specific management and other environmental issues exist. In the undeveloped rural area, the primary issues are the continued protection of the natural resources and conservation of use. In the largely developed urban area, the overriding environmental issues are protection of remaining natural



The county's land management approach is environmentally progressive in that it protects the county's remaining natural resources.

Actions

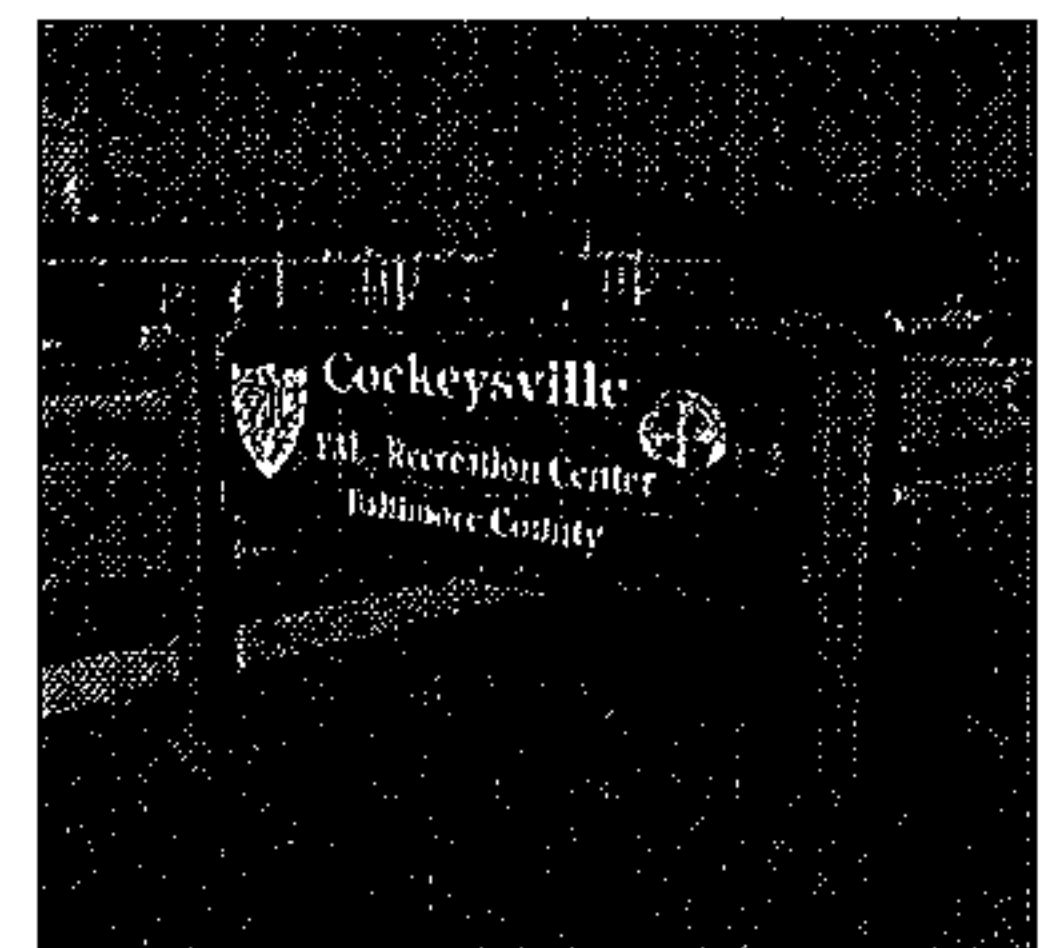
1. Continue to renovate existing parks and recreation facilities and ensure that all new construction is in compliance with the Americans with Disabilities Act.
2. Continue to provide reasonable accommodations for individuals with disabilities to allow for full participation, including adapted equipment, program modifications and support services.
3. Continue to promote specialized therapeutic recreation programs designed for individuals with disabilities, as well as opportunities for inclusion within recreational programs in which both disabled and non-disabled individuals participate.



At-Risk Youth: The lessons learned through recreational and educational outlets can play an important role in building a youth's self-image, and in helping him or her avoid the pitfalls of alcohol and drug dependency and crime. The development of Police Athletic League (PAL) Recreation Centers in key communities within the county remains a high priority.

Actions

1. Continue cooperative efforts between the Police Department, the Department of Recreation and Parks, and other county agencies to promote the Police Athletic League (PAL) Recreation Center concept.
2. Maintain staffing for the PAL recreation centers through the Police Department, the Department of Recreation and Parks, the Office of Substance Abuse, and the Baltimore County Department of Library.
3. Provide a platform for adult and parental volunteerism and involvement, such as the involvement of the local Recreation and Parks Councils with the PAL recreation centers in their areas.
4. Increase outreach efforts to financially limited families and individuals by using registration fee waivers or discounts.
5. Continue to seek and use federal and community grants to supplement the county's efforts.



The development of PAL Recreation Centers remains a high priority.

Issue: Capital Funding Alternatives

The population and development growth within the county is challenging the ability of Baltimore County to provide sufficient parkland and recreational amenities. The Department of Recreation and Parks must pursue alternative funding sources that will assist in meeting the leisure needs of the county's residents. Such agreements and sponsorships have been a positive asset to the county over the past several years. Programs such as Patrons of the



Actions

1. Use public input to develop specific criteria for determining which sites and facilities will be included as enterprise facilities. Maintain a balance between fee-charging enterprises and free public facilities.
2. Subject to the development of selection criteria, investigate potential sites and facilities suitable for inclusion within the enterprise system.
3. Provide sufficient opportunity for the enterprise system to grow and expand. Enable the system to reinvest user fees in order to continue to meet the needs of the public.
4. Investigate other non-traditional, innovative facilities and programs to be developed or instituted at enterprise fund sites by private and non-profit organizations.
5. In those instances where private entities or vendors are involved in enterprise operations, ensure that the public is being properly served, and that parks and facilities are being appropriately used.
6. Resolve issues involving the investment of significant capital dollars into infrastructure for enterprise fund facilities.

Issue: Specialized Recreational Needs

The Department of Recreation and Parks' role in meeting the recreation and leisure needs of the county's citizens has vastly expanded over the years. In addition to providing traditional recreation programs for youth and adults, other "specialized recreational needs" such as therapeutic recreation, child care programs, and leisure opportunities for seniors are also provided. Many of these specialized needs are met through cooperative efforts and programs with other county agencies. The Department of Aging, for instance, provides the vast majority of the county's recreational programs for seniors, with additional programs being offered through the Department of Recreation and Parks. Further, the Department of Recreation and Parks teams up with the Police Department and other county agencies to provide and staff Police Athletic League Recreation Centers, which play a vital role in helping at-risk youth learn the values of sportsmanship, fairness, teamwork, and responsibility.

Individuals with Disabilities: Meeting the recreational needs of individuals with disabilities requires specialized services often governed by federal and state law. The county and the Department of Recreation and Parks are committed to making county parks, facilities, and programs as inclusive as possible to all residents.

*THE COUNTY WILL
CONTINUE TO PROVIDE
FOR SPECIALIZED
RECREATIONAL NEEDS
SUCH AS THERAPEUTIC
RECREATION, CHILD
CARE PROGRAMS,
AND LEISURE
OPPORTUNITIES
FOR SENIORS.*

often go beyond the scope of traditional community-based facilities, and are designed to support a larger sector of the population, or to provide a specialized activity. Where appropriate, these facilities should be operated on a fee-basis, with the collected funds used to sustain the facility or to support other recreational programs and facilities.



Actions

1. Continue to acquire lands capable of housing specialized regional facilities. Develop a variety of special regional facilities such as environmental, historical, and cultural interpretive centers; athletic complexes; indoor sports arenas; and ice skating rinks.
2. Strategically locate these special facilities to meet the recreational needs of citizens in all areas of the county. It may be necessary to explore available lands in the rural areas of the county, outside the URDL, in order to find parcels that are large enough to support such facilities.
3. Consider public-private agreements that would allow for the development and management of regional facilities at little or no cost to the county.
4. Where appropriate, allocate funding for professional county staffing of these facilities, while promoting the volunteerism that sustains the county's recreational programs.
5. Continue to implement master plans for regional parks, such as Dundee and Saltpeter Creeks Park, Benjamin Banneker Historical Park, and the former Associated Jewish Charities property.
6. Continue the development of a "working" or "model" farm at Cromwell Valley Park.

Issue: Enterprise Facilities

The Department of Recreation and Parks has, in recent years, designated a number of its sites as "enterprise facilities." Enterprise facilities operate on a fee structure, with a mandate to be self-sustaining. Currently, the Oregon Ridge Lodge and Beach, Miami Park Beach, Rocky Point Park Beach, and Loch Raven Fishing Center are operated within the Department of Recreation and Parks' Enterprise Fund. In addition to facility use charges, these sites generate funds through programs such as concerts and special events. The Department of Recreation and Parks' self-sustaining enterprise facilities provide valuable large-scale recreational opportunities at little cost to the taxpayers. The enterprise system should be expanded, with clear standards defined.



Self-sustaining enterprise facilities such as the Loch Raven fishing center provide valuable recreational opportunities at little cost to the taxpayers.



3. Evaluate the status and plans for existing undeveloped school-recreation center sites to determine the feasibility of developing them into outdoor recreation facilities. The Department of Recreation and Parks and the Board of Education must coordinate plans for recreational development that are compatible with possible future school development.
4. Target services to selected sites in communities identified by the Department of Recreation and Parks as having significant recreational needs.
5. Transfer ownership of existing sites owned by the Board of Education to Baltimore County in those instances where the Board of Education no longer plans to construct schools. Use these sites, where needed, as park and recreation sites.

Issue: Aging Recreational Infrastructure

Over the past several years, a significant number of the county's park and recreation facilities and amenities have begun showing varying degrees of deterioration. The effects of aging not only apply to the numerous buildings that house or service recreational programs, but also appear in such recreational amenities as playground structures, ball diamond backstops and player benches, athletic court surfaces, boat ramps and piers, and field and court lighting standards. The rehabilitation and replacement of such facilities and amenities must be addressed to preserve recreational opportunity and to ensure public safety. Like many other parts of the county's infrastructure, a balance must be achieved in maintaining existing facilities, upgrading others, and acquiring additional sites. In seeking this balance, the county must account for facility usefulness, public safety, and cost.

Actions

1. Explore preventive maintenance practices in an effort to extend the life of existing facilities and reduce the cost of replacing aging infrastructure.
2. Expand the existing site inspection program to identify and address problem situations in a timely manner.
3. Continue to seek opportunities to convert obsolete or surplus public-owned facilities to recreational use where feasible.

Issue: Region-Serving Facilities

Large region-serving and "special" facilities are needed to provide a diversity of recreational opportunities for the citizens of the county. Such facilities

*THE COUNTY
WILL REHABILITATE
AND REPLACE
DETERIORATING
RECREATIONAL
FACILITIES AND
AMENITIES.*



use. Continue to rely on the expertise and experience of the local staff and the Recreation and Parks Councils to help gauge community needs.

3. Address the problem of facility over-use, especially as it relates to providing ball diamonds and athletic fields. Initiate and maintain an in-house evaluation whereby applicable facilities are regularly inventoried and rated according to use.
4. Continue to exhibit creativity in the design and development of community and neighborhood parks. Encourage the participation of the community in the design process of such park facilities, and seek to minimize potential negative impacts of these facilities on nearby and adjacent property owners.

Issue: School-Recreation Centers

The concept of public schools serving a dual role, as both educational institution and recreation center, continues to be the cornerstone of the Baltimore County recreation and parks system. Within this concept, the Department of Recreation and Parks participates in the acquisition and development of school-recreation centers. Recreational facilities such as gymnasiums, activity rooms, and recreation offices are often built within the school, while outdoor facilities include ball diamonds, athletic fields, tennis and multi-purpose courts. In some instances, outdoor recreational facilities are developed prior to construction of the school building, providing a valuable recreational opportunity to the surrounding neighborhoods and communities. Whether provided in concert with a new school, or prior to the school construction, school-recreation centers form the backbone of community-based recreation within the county.

While the joint "school-recreation center" concept serves to efficiently use land for public purposes, coordination in usage, planning and disposition of existing resources and facilities are required in order for such efforts to be successful.

Actions

1. Continue to participate in the acquisition, development, and staffing of school-recreation centers, in order for these sites to function as community recreation centers.
2. Continue the "Joint Use Agreement" between the Board of Education and the Department of Recreation and Parks. These entities must continue to work cooperatively to resolve conflicts in use and scheduling at these sites, keeping in mind the interest and well being of the public.

*WHETHER PROVIDED
IN CONCERT WITH
A NEW SCHOOL OR
PRIOR TO SCHOOL
CONSTRUCTION,
SCHOOL-RECREATION
CENTERS FORM THE
BACKBONE OF
COMMUNITY-BASED
RECREATION WITHIN
THE COUNTY.*



3. Acquire key parcels along greenways to serve as destination and access points, especially within recreational greenways.
4. Explore alternative methods for managing, maintaining, and policing greenways. Obtain the assistance of trail user groups, clubs, and other interested parties in handling these duties.
5. Expand the greenways concept to include other suitable linear corridors such as urban walking routes, bikeways, former rail and trolley lines/right of ways, scenic byways, and water and coastal routes. Develop criteria for identifying such corridors and incorporate these into a comprehensive greenway, trail and corridor map. Establish guidelines for attaining or creating such corridors, including the provision of bike lanes along key roadways that are being newly constructed or improved.

Issue: Community Recreation Facility Needs

The provision of community recreational facilities and programs is a primary mission of the county's Department of Recreation and Parks. From its inception, the department has been committed to providing traditional recreational facilities such as ball diamonds, athletic fields, and tennis and multi-purpose courts within each of its neighborhoods and communities. This focus on community-based recreation was a primary factor in the formulation of the school-recreation center concept. As the county's population has increased over the past forty years, it has become evident that school-recreation centers alone cannot meet all of the community recreational needs. While times have changed and the role of recreation and parks has diversified, the concept of community recreation remains vital. When evaluating the need for recreational facilities, a variety of factors must be considered, including such less apparent issues as the effects of facility overuse and the impact of certain recreational facilities on nearby home and property owners.

Actions

1. Formulate and regularly update the "1999 Baltimore County Parkland and Recreational Facility Needs Assessment" and use it as a guide for the recreational facility development program. Seek to acquire sites for facilities in areas where existing parklands, school-recreation centers, and open spaces cannot support further development to meet community recreation needs.
2. Revise the methodology for calculating recreational facility needs. Consider implementing a more qualitative analysis that studies programmed use of community facilities, as well as the effects of facility

*THE COUNTY'S FOCUS
ON COMMUNITY-
BASED RECREATION
WAS A PRIMARY
FACTOR IN THE
FORMULATION OF THE
SCHOOL-RECREATION
CENTER CONCEPT.*



Network” map that identified a proposed stream valley park/greenway network. The county has since experienced varying degrees of success in implementing the greenway system. The Number Nine Trolley Line Trail (Catonsville) was developed adjacent to the Cooper Branch, and efforts to create greenway networks in the Owings Mills and Patapsco Valley areas have recently begun to be realized. The efforts of community organizations have resulted in the establishment of the Number Eight Trolley Line Trail, with additional efforts underway to recreationally develop the Catonsville “Short Line” right of way. While such trails and linear landforms are not currently included in the stream valley-based greenways system, they are valuable recreational resources that should be included in any expansion of the greenways concept. On the other hand, several trails that were proposed along designated greenways have met with local opposition, and a significant number of property owners and developers have been unwilling to grant public access easements along designated greenways. The county must continue to evaluate and refine the greenway program to ensure that these areas remain available for future generations.

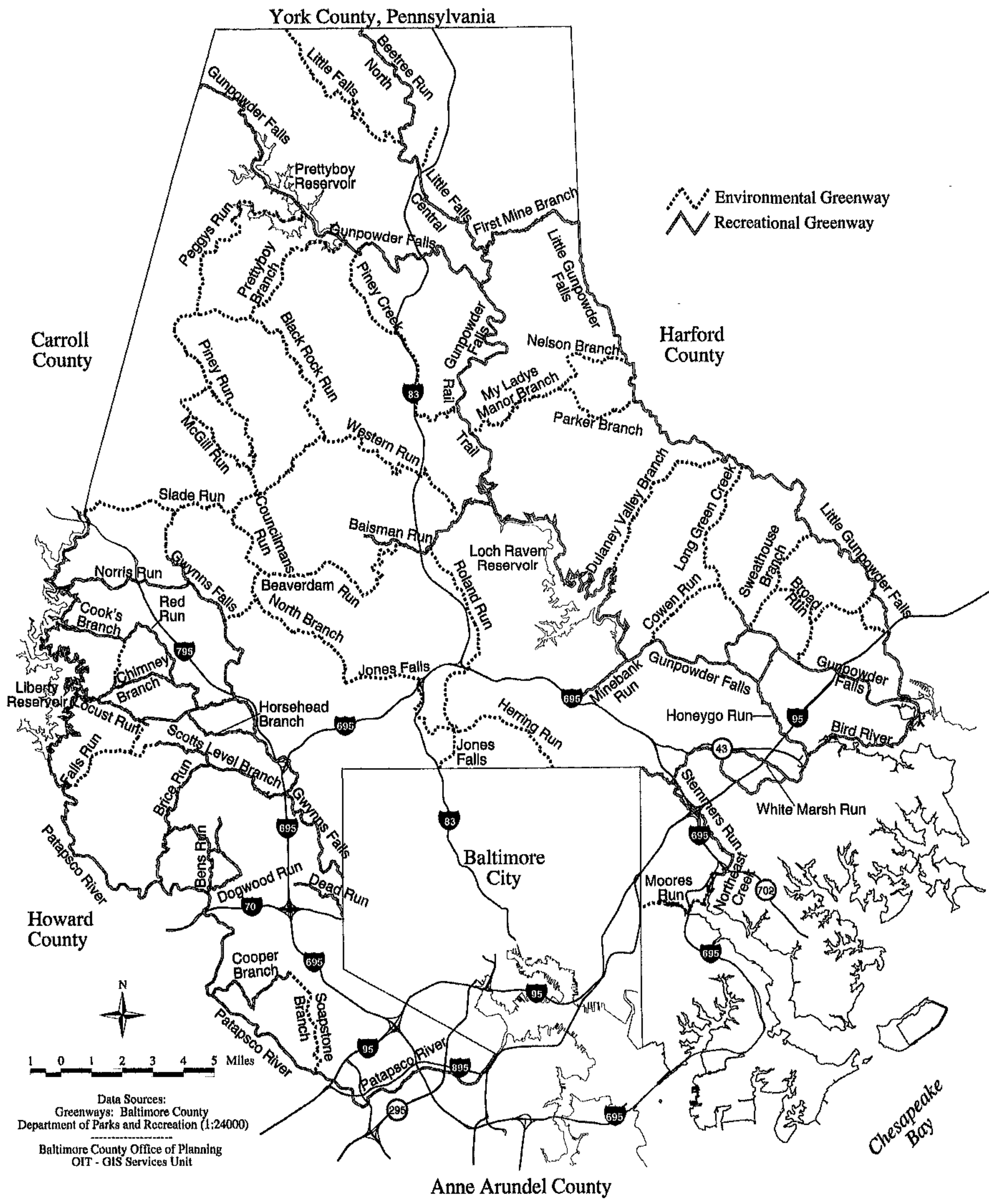
The county and the Department of Recreation and Parks face many challenges relating to implementing a countywide greenway network. Plans must be developed that provide for the adequate management, maintenance, and policing of greenways that have been, or will be made, available for public use. Public concerns about greenways must also be addressed if this system is to become a reality.

Actions

1. Classify greenways as either “environmental” or “recreational” as indicated on the “Greenways” map (Map 18). Environmental greenways will remain predominantly natural and serve as open space and wildlife corridors, with little if any public access. Recreational greenways are intended for public use and may include improved trails and other recreational amenities.
2. Establish stronger greenways-related guidelines and requirements within the *Local Open Space Manual*. Develop separate criteria for the two different classes of greenways and use the *Local Open Space Manual* as a key document in creating a countywide greenway system. Where development occurs along an identified recreational greenway, seek to have appropriate recreational amenities such as trails constructed as part of the local open space requirement.



The county will investigate the feasibility of recreational greenways with public trails and other recreational amenities.



MAP 18
GREENWAYS

Actions

1. Revise the *Local Open Space Manual* to improve its effectiveness for obtaining a viable, high-quality local open space system that provides for the active recreation and open space needs of the county's citizens.
2. Revise the per-unit local open space requirement requiring mandatory open space dedication and re-evaluate the zones in an effort to have the development community assist in meeting state-mandated park and open space acreage goals, as well as meeting the recreational needs of the communities that are being developed.
3. Provide the county and Department of Recreation and Parks greater discretion in selecting open space land within prospective residential developments.

**Issue: Evaluating Existing Local Open Space**

The quality of existing local open space within the county varies, with many substandard parcels that are of little value to the public. These numerous and often isolated properties can be a significant drain on county resources, as their small size and interspersed nature make them difficult to maintain. The location of some open spaces also tends to attract a high level of encroachment from adjacent landowners. Open spaces that lie to the rear of residences are often "sectioned-off" as extensions of private back yards. Some of these open spaces, however, could be improved to provide for local recreational needs.

Actions

1. Investigate and evaluate the current use of existing local open spaces to determine potential for further recreational development, as well as to guard against encroachment from neighboring property owners.
2. Target funds derived from local open space waiver fees to provide recreational opportunity where needed, especially for neighborhood/community recreation. Encourage the matching of local open space funds by community groups to maximize the buying power for local recreation amenities.
3. Seek to attain agreements with local residents and groups whereby they will own, manage, maintain, and use open parcels for the recreational benefit of their community.



The county will target funds from local open space waiver fees to provide recreational opportunity where needed.

Issue: Greenways

The *Baltimore County Master Plan 1989-2000* identified "Stream Valley Greenways" as a parks and open space issue, introducing an "Open Space



Actions

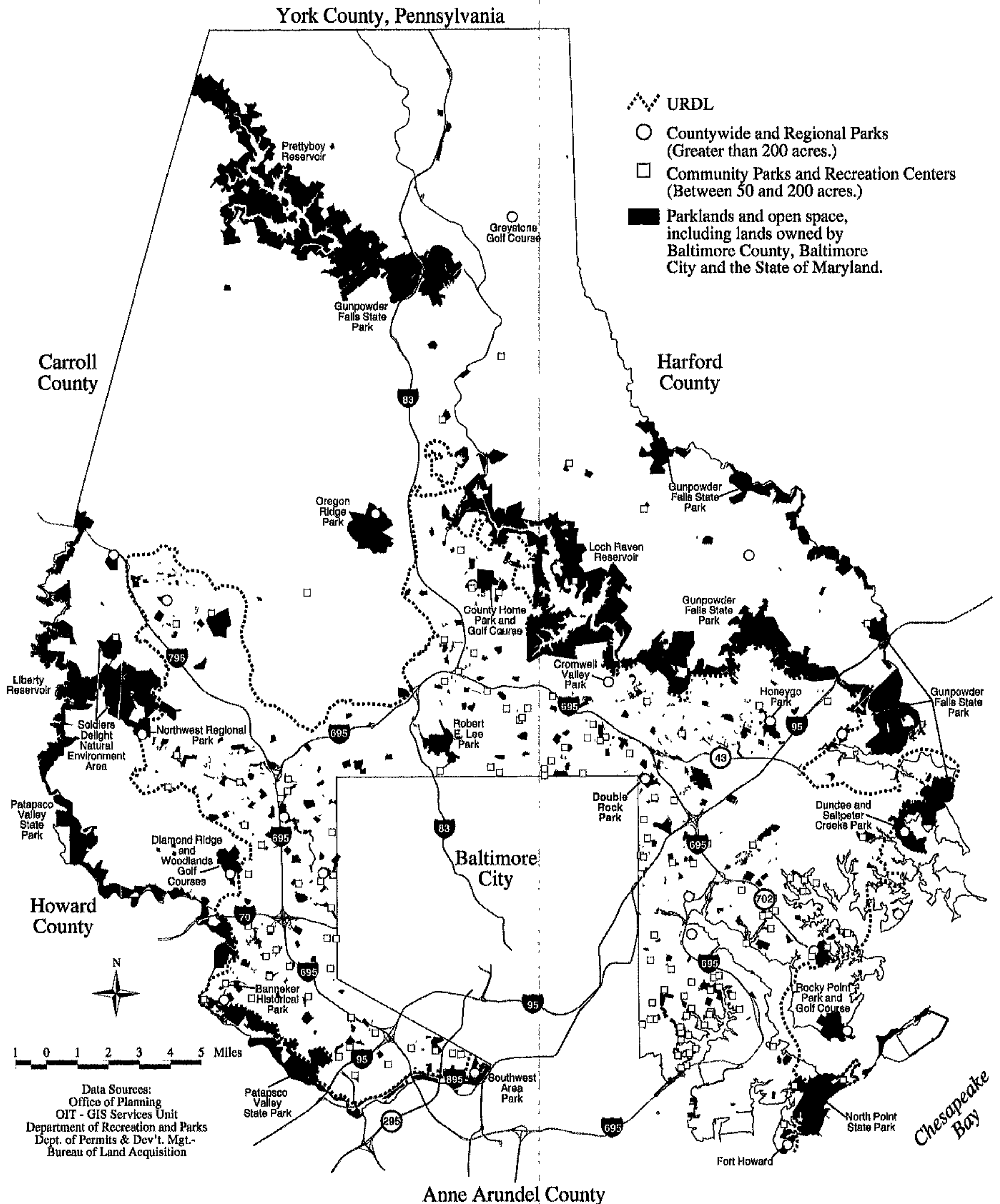
1. Formulate a detailed document that focuses upon the need for additional parklands, to be titled the *"1999 Baltimore County Parkland and Recreational Facility Needs Assessment."* Regularly update this document and use it as a guide for the parkland acquisition program.
2. Develop a dialogue with the State of Maryland and with other local jurisdictions to discuss the park acreage analysis methodology. Specifically address the issue of private/homeowner association-owned open space, and why these areas do not count towards meeting park and open space acreage goals.
3. Continue to revise management structure to effectively handle the new responsibilities associated with the acquisition of additional parkland.
4. Seek alternative methods for managing and maintaining new sites. Where appropriate, enter into revenue-generating agreements, such as lease of farming rights, for the period between when a property is acquired and when it is developed for active recreation.
5. Comprehensively inventory and map all parks, school-recreation centers, open spaces, and recreational facilities.
6. Explore all appropriate avenues for acquiring key parklands, including use of the county's power of condemnation. Creative solutions are particularly important in established communities where open space must often be created by redeveloping built sites. The timely purchase of important prospective park sites must be facilitated to avoid acquisition cost increases that occur when properties are purchased or planned for development.

THE COUNTY'S OPEN SPACE PROGRAM WILL FOCUS ON SECURING OPEN PARCELS OF LAND SUITABLE FOR ACTIVE RECREATIONAL USE.

Issue: Updating the Local Open Space Regulations

The current *Local Open Space Manual* was written at a time when few environmental regulations existed; thus, its focus was on attaining and protecting environmentally sensitive areas such as stream buffers and wetlands. Now that environmental regulations and codes protect these sensitive areas, the county's open space program should be refocused on securing open parcels of land suitable for active recreational use.

The county's current local open space regulations are outdated and do not insure that quality active recreational open space is attained within the development process. A selective approach should be implemented to guard against building a vast network of small, scattered open space parcels that become a management and maintenance burden.



MAP 17
PARK AND RECREATION SITES (DOES NOT INCLUDE SCHOOL-RECREATION CENTERS)



- Pursue alternative methods for providing and funding recreational opportunities and resources.

ISSUES AND ACTIONS

It is the responsibility of the Department of Recreation and Parks to provide parklands and recreational programs in Baltimore County. Partnerships with citizen groups and county and state agencies, such as the county Department of Education, the county Police Department, and the state Department of Natural Resources, have enhanced the ability to provide additional recreation services cost-effectively. Most of the issues and actions discussed below concern the expansion of recreational opportunity, which is a key factor in maintaining viable communities (Map 17).

Issue: Parkland Acreage Needs

As Baltimore County's population continues to grow, so too will the need for parkland and open space. Methods for determining the sufficiency of parkland and open space have long been studied and debated. The State of Maryland has identified a goal for its localities, which Baltimore County endorses, of providing 30 acres of parkland and open space per 1,000 residents. Within this goal, all parks with recreational facilities, be they active or passive, are counted on an acre-for-acre basis (e.g., a 20-acre developed community park would count as 20 acres), while natural open spaces and undeveloped parklands count only one-third (e.g., a 30-acre open space with no recreational facilities would count as only 10 acres). Generally, only county-owned and/or operated parklands and open space may be counted towards the county's acreage goal.



Most of the county's open spaces, such as this trail in Mays Chapel, are provided as part of the land development process.

Most of the county's "open spaces" are provided as part of the land development process. Many of these are deeded to homeowners/condo owners associations or the land developer. While these cannot be counted towards the county's park and open space goal, they provide a significant open space and recreational benefit regardless of ownership. Private/homeowner association ownership of these lands (which are usually small in size) should continue to be encouraged by the county in order to provide the benefit of open space without incurring the burden of public maintenance. To effectively meet the parkland needs of the county's citizens, a variety of planning, management and maintenance techniques must be implemented. The optimization of existing resources is necessary to effectively serve the public.

and Parks is charged with the mission of leading the way in providing recreational opportunity. To achieve this mission, the department must secure the parklands and open spaces that provide the setting for public recreation. Established communities are often lacking in recreation facilities, and creative methods to provide local facilities should be undertaken. Once the land is in place, it is often necessary to make improvements to provide the recreational amenities and support facilities required to meet citizens needs and preferences. Finally, the department must work cooperatively with the 44 citizen-run Recreation and Parks Councils who provide the volunteer time, effort, and fund-raising that make organized recreation programs possible.



The following policies, issues, and actions, while listed within the urban-related section of the plan, apply to the rural section as well. Because the county's policy regarding recreation and parks emphasizes the individual, its focus is logically upon the heavily populated urban areas of the county. These urban areas house the vast majority of existing parks and recreational facilities and are thus influenced by all of the issues identified. While the recreational needs of the citizens in the county's rural communities must be adequately addressed, the Department of Recreation and Parks will continue to invest the bulk of its resources into the more populated urban areas.

POLICIES

- Acquire a wide range of parklands and open spaces sufficient to meet the State of Maryland's prescribed parkland acreage goals.
- Develop an assortment of active and passive recreational facilities based on the recreational needs and preferences of county citizens.
- Work cooperatively with the volunteer Recreation and Parks Councils to provide a diversity of recreation programs and activities.
- Protect and preserve environmentally sensitive parklands and open space areas for the benefit of future generations.
- Provide integral open space within newly developed residential areas, especially through the mandatory dedication of Local Open Space in the development process.
- Work cooperatively with other county and state agencies and neighboring jurisdictions in mutually beneficial recreation and park-related efforts.
- Utilize and actively support valuable state and federal programs supporting recreation and parks.



The county will develop an assortment of active and passive recreational facilities based on the recreational needs and preferences of county citizens.



Issue: Develop Programs to Ensure Adequate Storm Drainage

Baltimore County will develop programs to ensure that an adequate storm drainage system is in place and maintained for those areas deemed a county responsibility. Innovative programs that benefit communities and homeowners will be developed.

Actions

1. Develop a written set of criteria for determining when drainage problems are a county responsibility.
2. Develop a process to allow communities to petition for storm drain improvements.
3. Develop a program for floodproofing homes in lieu of undertaking capital projects for expensive storm drainage improvements.
4. Increase the frequency of cleaning storm drains and inlets to improve drainage system reliability during storms.

RECREATION AND PARKS

INTRODUCTION

This section of the master plan, along with other recreation and parks-related information included or referenced within this plan, shall function as Baltimore County's *1998 Land Preservation and Recreation Plan* (LPRP). The LPRP, required by Title 5, Subtitle 9 of the Natural Resources Article of the *Annotated Code of Maryland*, serves as a guide for meeting the recreation, park, and open space needs of the citizens of Baltimore County. In preparing the following information, the recommendations and mandates of several other documents were considered and incorporated. These documents include the *Baltimore County Master Plan 1989-2000*, the *1993 Maryland Land Preservation and Recreation Plan*, and the "Seven Visions" of the 1992 State Planning Act. This effort represents the county's vision and needs regarding open space, recreational facilities, and parks as they affect all aspects of life in Baltimore County.



Public recreation is an important component of a quality living experience.

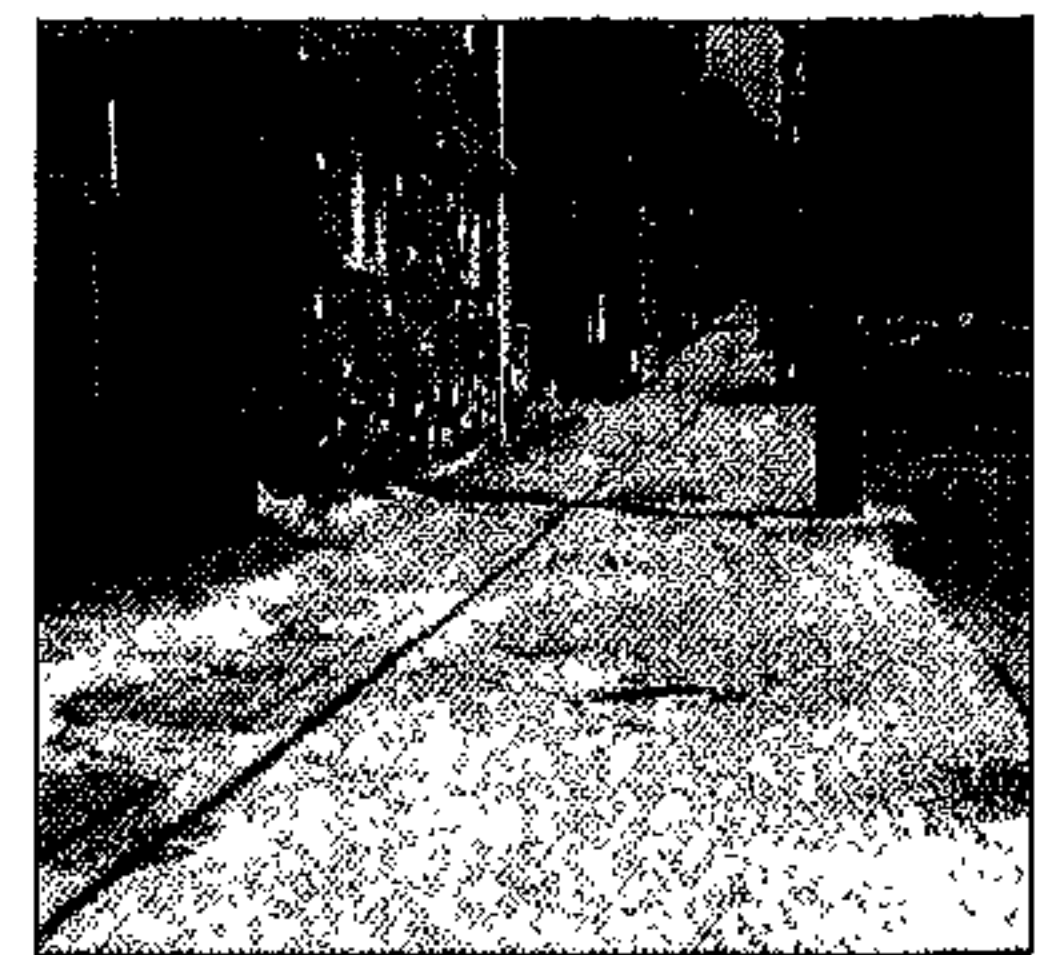
Public recreation, be it in the form of participation in team sports or a group activity, enjoyment of a family picnic, or a walk alone along the shoreline, is an essential component of a quality living experience. Recreation helps to promote physical and mental well-being, and provides a valuable platform for social interaction and personal growth. The Department of Recreation

Continuing shifts in traffic patterns, accompanied by population changes, and the deterioration of older infrastructure, necessitate a continual improvement program, which is also managed by the department through design and construction contracts. The objectives of the program are to improve the livability of communities by making streets pedestrian friendly, maintaining traffic flow at desired speeds, correcting safety problems, alleviating deficient transportation areas, providing adequate access to designated new growth areas, and upgrading deteriorating infrastructure.



Actions

1. Integrate the findings of traffic studies by the Department of Public Works into the planning and design of new facilities and the rehabilitation of existing facilities.
2. Develop a system to identify pavement safety deficiencies through accident analysis, skid monitoring, and geometric assessment (analysis of the street grade).
3. Establish a computerized maintenance management system to identify damaged or worn pavement in need of repair.
4. Continue to assess, prioritize, and reconstruct deteriorated alleys.
5. Establish a program for neighborhood traffic management, which may allow communities to petition for the installation of traffic calming devices.
6. Establish a preventive maintenance management procedure for bridges.
7. Consider the overall condition of a bridge rather than just the load carrying capacity in prioritizing bridge rehabilitation projects.
8. Continue to implement a computerized sign management system to monitor the condition of street signs, so signs that have been damaged or removed can be replaced.
9. Review and assess street lighting policies with the goals of reducing accidents and increasing a sense of security, taking into account the nature of the area.
10. Involve communities when lighting or street and bridge projects are proposed in their area.



The county will continue to assess and reconstruct deteriorated alleys.

STORM DRAINAGE

The Baltimore County storm drain system is composed of 3,765,000 linear feet of storm drains, 14,000 inlets and 900 storm water management ponds. This system reduces the flooding of homes and streets, prevents damage to private property and reduces the problem of tidal siltation.

PUBLIC INFRASTRUCTURE



INTRODUCTION

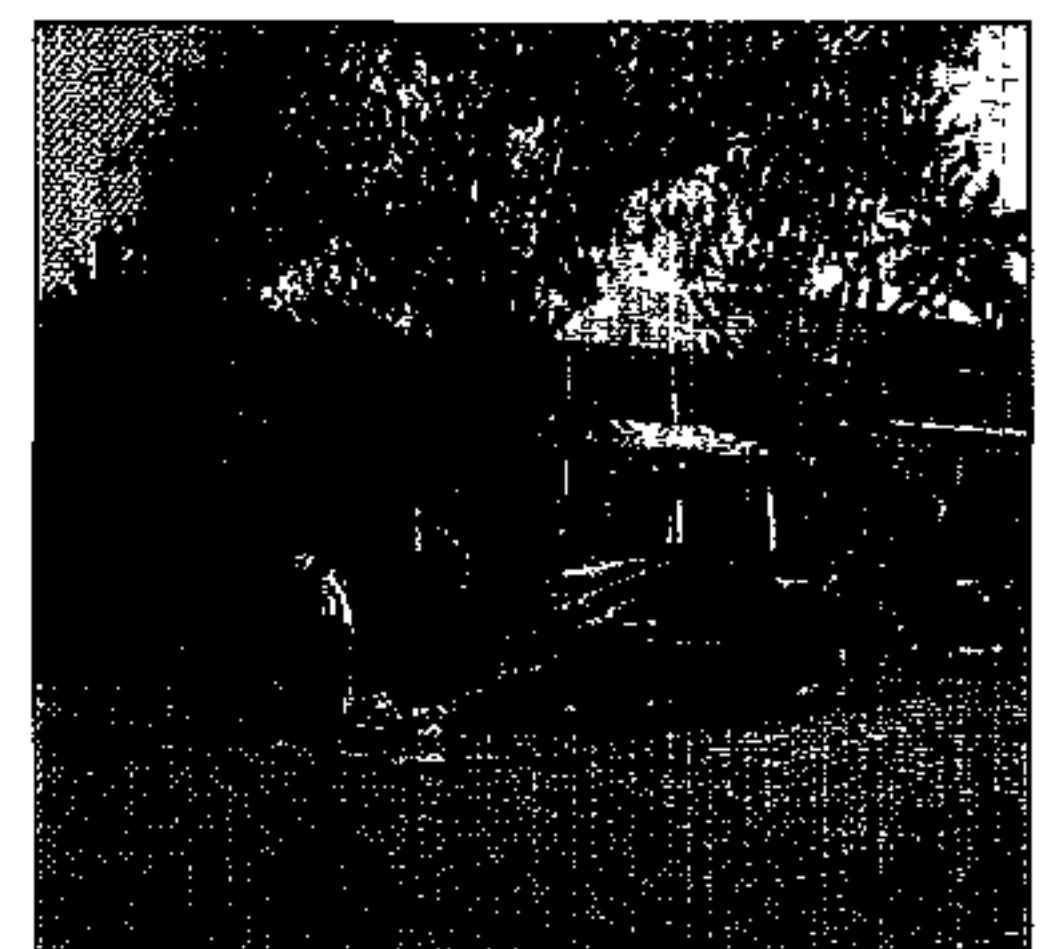
Public infrastructure is the term used to describe the basic facilities, equipment, services and installations needed for the growth and functioning of a community. Because public infrastructure is so important in determining the timing, location, and intensity of private development, it serves as a valuable tool for master plan implementation.

The principal responsibility for infrastructure in Baltimore County lies with the Department of Public Works. The department's mission is to plan, provide, maintain, and expand public infrastructure systems serving the residents of Baltimore County in the safest, most efficient, and cost effective manner possible. Because the county is aging, infrastructure needs have shifted from construction of new facilities to maintenance of existing facilities. Major areas of responsibility of the Department of Public Works include:

- developing, maintaining, and upgrading the transportation network;
- providing for adequate water supply and sewerage service;
- providing adequate storm drain systems; and
- managing solid waste.

POLICIES

- Continue to ensure the maintenance of existing facilities when determining budget priorities.
- Give priority to community conservation areas when implementing improvements.
- Provide public facilities in a timely manner to support development in the growth areas and employment centers.
- Computerize Department of Public Works processes to accomplish preventive maintenance more efficiently.
- Promote solid waste reduction, recycling, and resource recovery to minimize the need for landfilling, and to extend the useful life of the Eastern Sanitary Landfill Solid Waste Management Facility.



Because the county is aging, infrastructure needs have shifted from construction of new facilities to maintenance of existing facilities.

ISSUES AND ACTIONS

Issues and actions are discussed below by major infrastructure type.



WATER AND SEWER

Water Supply System

The Baltimore County water supply system is an extension of the metropolitan water system serving Baltimore City. There are three sources of water: the Gunpowder River, which supplies the Prettyboy and Loch Raven reservoirs; the North Branch of the Patapsco River, which supplies the Liberty Reservoir; and the Susquehanna River. Water drawn from the three reservoirs is treated at the Montebello and Ashburton filtration plants, and then distributed to county consumers (Map 16). Susquehanna River water is used only on an emergency basis.

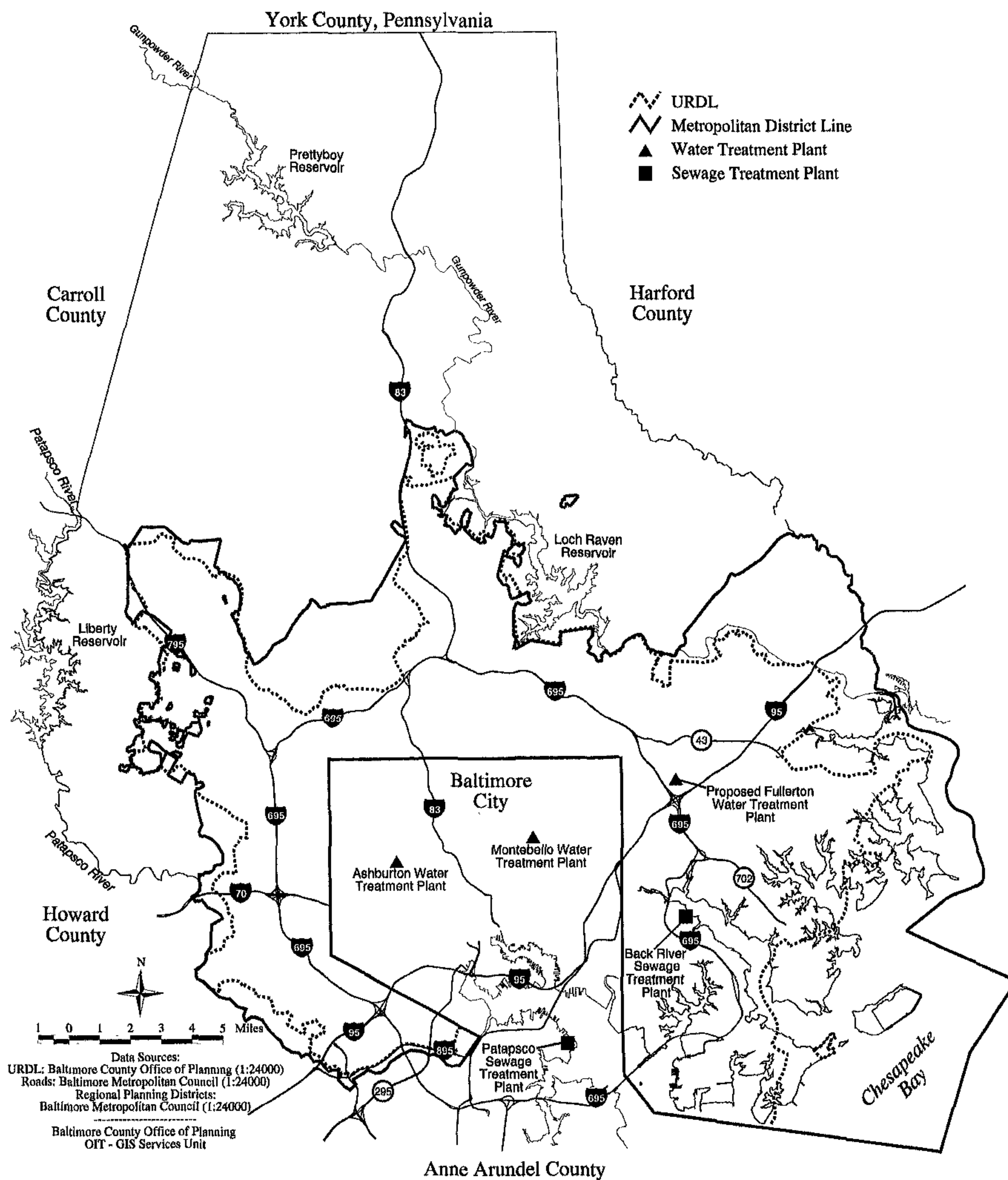
Baltimore County has another viable source of water supply, the prolific aquifer that exists within the geologic formation known as the Cockeysville Marble. This source of high quality water has been recognized as a natural resource worth protecting. In 1975, Baltimore County identified this aquifer as an area of critical state concern. Should the county ever be in a situation that would require it to find its own source of water, the Cockeysville formation will be its primary source. It is imperative that we protect this natural resource through a variety of techniques, including limiting the use of septic systems, modifying land use regulations to prevent uses which may have adverse impact on the aquifer, and educating property owners who own land over the Cockeysville marble formation.

There are 13 distinct zones of water service. They are linked together by a series of pumping stations, transmission mains, storage reservoirs, and elevated tanks. Baltimore County now uses about 99 million gallons a day from the Baltimore system. About 30% of the consumption is used by commerce and industry. Residential consumption accounts for the remaining 70%. The system also supplies water for fire protection.

Sewer System

Baltimore County constructs, operates and maintains all sewage collection and pumping facilities within the county. There are 22 sewersheds that are divided into 80 sub-sewersheds. Baltimore County operates 104 pumping stations and one very small treatment plant at Richlyn Manor. County-generated sewage is treated at two Baltimore City-owned and operated waste water treatment plants, at the Back River Treatment Plant near Essex and the Patapsco Treatment Plant at Wagners Point in South Baltimore.

*IT IS IMPERATIVE
THAT WE PROTECT
THE COCKEYSVILLE
AQUIFER BY LIMITING
THE USE OF SEPTIC
SYSTEMS, MODIFYING
LAND USE
REGULATIONS, AND
EDUCATING PROPERTY
OWNERS.*



MAP 16
WATER SUPPLY AND SEWERAGE SYSTEM



THE COUNTY'S AGING
WATER AND SEWER
INFRASTRUCTURE
WILL REQUIRE
EXTENSIVE AND
INNOVATIVE
REHABILITATION
EFFORTS.

The Metropolitan District

The Metropolitan District of Baltimore County is both the geographic area within which public water and sewer services are provided, and the quasi-public corporation through which public utility services are financed and managed. It was established pursuant to the Metropolitan District Act (*Acts of the General Assembly of Maryland of 1924, Chapter 539, as Amended*), and operates according to the provisions of Title 35, Article IV of the *Baltimore County Code, 1988, as Amended*. The county does not have a legal mechanism to finance public water and sewer utilities outside the district.

Adjacent property owners outside the boundary of the Metropolitan District who wish to receive public water and sewer service may petition to be included in the district. The Baltimore County Council may, upon recommendation by the County Executive and subject to the approval of the mayor and city council of Baltimore, extend the Metropolitan District boundary to include the petitioner's locality. Under the terms of the Metropolitan District Act, Baltimore City and Baltimore County share the cost of constructing and maintaining the utility system with neither party gaining a profit from the other.

The county's water and sewer master plan, *Baltimore County Water Supply and Sewerage Plan 1990-2000*, designates areas of existing and future water and sewer service. It is reviewed every three years to ensure that the designated areas are consistent with the county's comprehensive land use plan.

The county's focus has shifted from the installation of new systems to the maintenance and upgrading of existing systems. In future years, the county's aging water and sewer infrastructure will require extensive and innovative rehabilitation efforts both to provide a level of service that meets customer demand and to extend the service life of the systems.

Issue: Concurrently Updating the Water and Sewer Master Plan and the Baltimore County Master Plan

Because of the close relationship between the two plans, updating the plans concurrently will expedite the approval process and reduce unnecessary paperwork.

Actions

1. Enact legislation whereby adopting either the water and sewer master plan or the Baltimore County master plan will automatically update the complementary plan when referenced.
2. Coordinate the timing of the two plans.



Issue: Moving the Metropolitan District Line to Match the URDL

There are a few locations where the adopted urban rural demarcation line (URDL), the county's growth boundary, does not coincide with the Metropolitan District boundary. The two boundaries serve the same purpose, and the discrepancy leads to confusion. Additional confusion is caused by the fact that in the southwest area of the county the Patapsco Valley State Park is located inside the URDL line. This is a State-owned and State-operated area which does not logically belong in the urban-designated area of the county. Accordingly, the URDL line should be moved to the northern border of the Patapsco Valley State Park so that the park is identified as being outside the URDL and therefore in the rural area of the county. In addition, consideration should be given to changing the zoning of the park land from DR to RC.

Action

Consider the benefits of enacting legislation to move the Metropolitan District line to coincide with the URDL.

Issue: Improving Water and Sewer Service

In the coming years, the county will focus on maintenance and upgrading of the existing water and sewer infrastructure. Some system improvements are necessary to provide improved reliability of service. There are, however, several communities within the URDL that do not have public water and sewer service. Extending public utilities to these communities should be a high priority, especially where wells or septic systems are failing.

Actions

1. Continue upgrading the sewerage pump stations to increase capacity and improve reliability and energy efficiency. Effectively monitor the pump stations for malfunctions.
2. Rehabilitate and replace sewer pipelines and manholes as needed. Use high technology analytical tools to determine the optimal expenditure of resources.
3. Expand testing for sources of ground water inflow and infiltration that reduce the sewerage system's capacity during wet weather conditions.

*EXTENDING
PUBLIC UTILITIES
TO COMMUNITIES
WITHIN THE URDL
THAT DO NOT HAVE
PUBLIC WATER AND
SEWER SERVICE
SHOULD BE A HIGH
PRIORITY, ESPECIALLY
WHERE WELLS OR
SEPTIC SYSTEMS ARE
FAILING.*



Use test results to make repairs and thereby increase system efficiency and capacity.

4. Increase the frequency of sewer main cleaning to clear away roots, sludge and grease in order to maintain a fully functional conveyance system, reduce sewerage back-ups, and to provide a means of detecting early signs of structural failures.
5. Develop a major water purification and storage facility in Fullerton, which will complete the system of water treatment plants for the metropolitan system.
6. Expand the water main cleaning and lining program to prevent or correct “water line constrictions” (obstructions that reduce water volume and water pressure) in older pipes. Newer pipes are constructed with special linings that prevent constrictions from forming.
7. Continue to extend public utilities to all unserved communities within the URDL, giving highest priority to those areas that have failing wells or septic systems.
8. Ensure that sewer extensions to correct failing septic areas outside the URDL only address existing problems and do not stimulate growth and development.

SOLID WASTE

Baltimore County’s solid waste management responsibilities include:

- providing weekly recycling and refuse collections for 220,000 households, and biweekly yard waste recycling collections from April through December to 70% of these households;
- managing the county’s waste reduction, recycling and composting programs;
- mechanically sweeping streets, curbs, and gutters;
- operating the active Eastern Sanitary Landfill Solid Waste Management Facility, which includes a transfer station, yard waste composting and mulching operation, and a residential drop-off and recycling center, as well as properly maintaining county-owned closed sanitary landfills;
- overseeing operation of the two solid waste facilities operated by the Maryland Environmental Service: Western Acceptance Facility (WAF) in Halethorpe and Baltimore County Resource Recovery Facility (BCRRF) in Cockeysville, both of which are transfer stations and include residential drop-off centers. BCRRF also has a materials recovery facility for recyclable paper, bottles, and cans, as well as a paper baler;



The Eastern Sanitary Landfill Solid Waste Management Facility is one of three active solid waste facilities in the county.



- coordinating with the Northeast Maryland Waste Disposal Authority in overseeing the operation of the Southwest Resource Recovery Facility, a waste to energy facility located in Baltimore City and operated by BRESKO (Baltimore Refuse to Energy System Company);
- preparing and updating the county's recycling plan and solid waste management plan; and
- coordinating with other jurisdictions to formulate regional solid waste management and recycling plans.

Issue: Improving Refuse and Recycling Collection

The visual appearance and positive image of a community can be adversely affected by litter or refuse in streets and alleys, or by bulk trash left in yards and along roadways. Trash and refuse can also pose safety hazards and cause environmental damage. Effective partnerships with citizens can help to mitigate these conditions.

Actions

1. Work with community groups and volunteers to support communities with programs such as Community Clean Up and Adopt a Road.
2. Improve the street sweeping program by:
 - maintaining the "night sweeping" program to include parking lots and entrances of county-owned properties; and
 - establishing a permanent location for the sweeping crew that serves the eastern area of the county in order to reduce street sweeper travel distance and to have a dedicated facility for vehicle maintenance.
3. Conduct grassecycling campaigns and sponsor compost bin sales.
4. Conduct public education campaigns to promote recycling, including distributions of four year collection schedules.
5. Conduct appropriate public outreach activities that give residents, businesses, and schools a better understanding of solid waste management and encourage recycling and waste prevention to minimize what is being disposed of.
6. Participate in the coordination of regional solid waste and recycling initiatives, organizations and policies.
7. Continue striving to maximize the effectiveness and fiscal soundness of recycling programs.

*THE COUNTY
WILL CONDUCT
PUBLIC EDUCATION
CAMPAIGNS TO
PROMOTE RECYCLING.*



Issue: Ensuring the Efficient Management of the Eastern Sanitary Landfill Solid Waste Management Facility

Eastern Sanitary Landfill, located north of Bird River, is the only active sanitary landfill in Baltimore County. The landfill is operated in compliance with state regulations to protect the public health and the natural environment. The Department of Public Works will continue to try to extend the useful life of the landfill by transporting solid waste out-of-state. When the landfill reaches final grade, it may be possible to use the closed areas for other purposes. County government will continue to be responsible for its maintenance.

Actions

1. Continue to transport waste from all three transfer operations to out of region commercial disposal facilities so long as it is economically feasible.
2. Develop a final use plan, in conjunction with neighboring communities, for those portions of the site that have reached final grade.

Issue: Closed Landfill Opportunities

Baltimore County has closed landfill sites, some of which are under the direction of the Department of Recreation and Parks (Southwest Area Park, Batavia) and the Revenue Authority (Longview Golf Course). Two sites, which are essentially open space at this time, are the Hernwood (295 acres) and Parkton (204 acres) sites, both of which are being monitored and in the process of being closed by the Department of Public Works. These sites will be available for future recreational use. The Texas Landfill is presently being used for parking, open-top transfer, and storage. It will be available for public works staging or the possible relocation and enlargement of the existing residents' acceptance facility and recycling drop off center located on Recycle Way.

Action

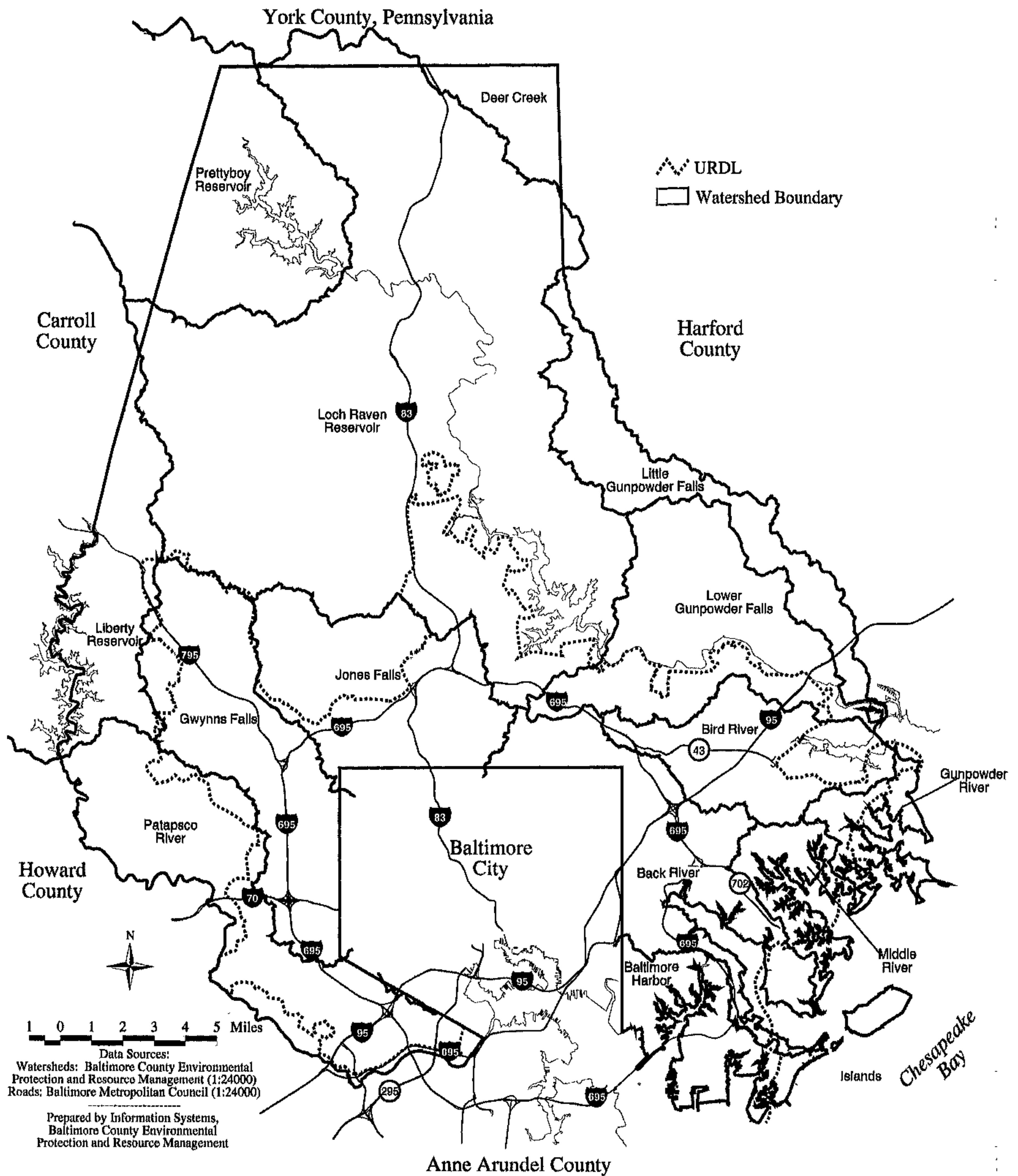
Continue to place closed landfill sites into productive use.

STREETS AND BRIDGES

Issue: Improving the Street and Bridge Program

As part of the streets and bridges infrastructure program, the Department of Public Works design division has responsibility for 2,500 miles of roadway, 131 miles of alleys, 1,900 miles of curbs and gutters, 1,500 miles of sidewalks, 423 bridges, 35,000 streetlights, 87,000 traffic signs and 381 traffic signals.

*CLOSED LANDFILL
SITES WILL BE
AVAILABLE
FOR FUTURE
RECREATIONAL USE.*



MAP 19
WATERSHEDS



causing an increase in the sediments, nutrients, and toxins carried to the streams, and erosion of stream channels. Changes in sediment and nutrient levels can degrade the habitat quality of the stream for both plants and animals. Land preservation programs that place environmentally sensitive land in permanent easements assist in the protection of watersheds and their interrelated systems.

The county's watershed program consists of characterizing and prioritizing watersheds, preparing management plans, and evaluating resource systems and functions at varying scales from a countywide level to individual properties. Assessments of pollutant loads, stream stability, and forest community structure provide the framework for the preparation of implementation plans for capital projects, maintenance, education, and cooperative citizen actions.

Actions

1. Continue to protect streams, wetlands, floodplains, and woodlands from impacts of new development and redevelopment as required by development regulations.
2. Identify and protect the remaining high value natural resources in watersheds in order to preserve their beneficial functions for clean water, clean air, and habitat.
3. Continue projects to restore wetlands, reestablish forests, and stabilize stream channels in impacted watersheds.
4. Reduce pollution through a reduction in impervious surface area, improved management of urban runoff, and implementation of source-based controls.
5. Coordinate the management of inter-jurisdictional watersheds with surrounding jurisdictions.
6. Include environmental policies and goals in community plans for the preservation and enhancement of functional open spaces such as greenways and wildlife habitat; the reduction of water, air, and toxic pollution and solid wastes; and the promotion of neighborhood environmental stewardship.
7. Encourage and actively participate in partnerships among agencies, organizations, and communities to address environmental issues.

*THE COUNTY WILL
CONTINUE PROJECTS
TO RESTORE WETLANDS,
REESTABLISH FORESTS,
AND STABILIZE
STREAM CHANNELS.*

Issue: Protecting the Reservoirs

Most citizens seldom stop to think about the importance of the drinking water reservoirs located in Baltimore County. The regional reservoir system,

including the Prettyboy, Liberty, and Loch Raven Reservoirs, provides a large and dependable drinking water supply for the 1.8 million people in the Baltimore metropolitan region.

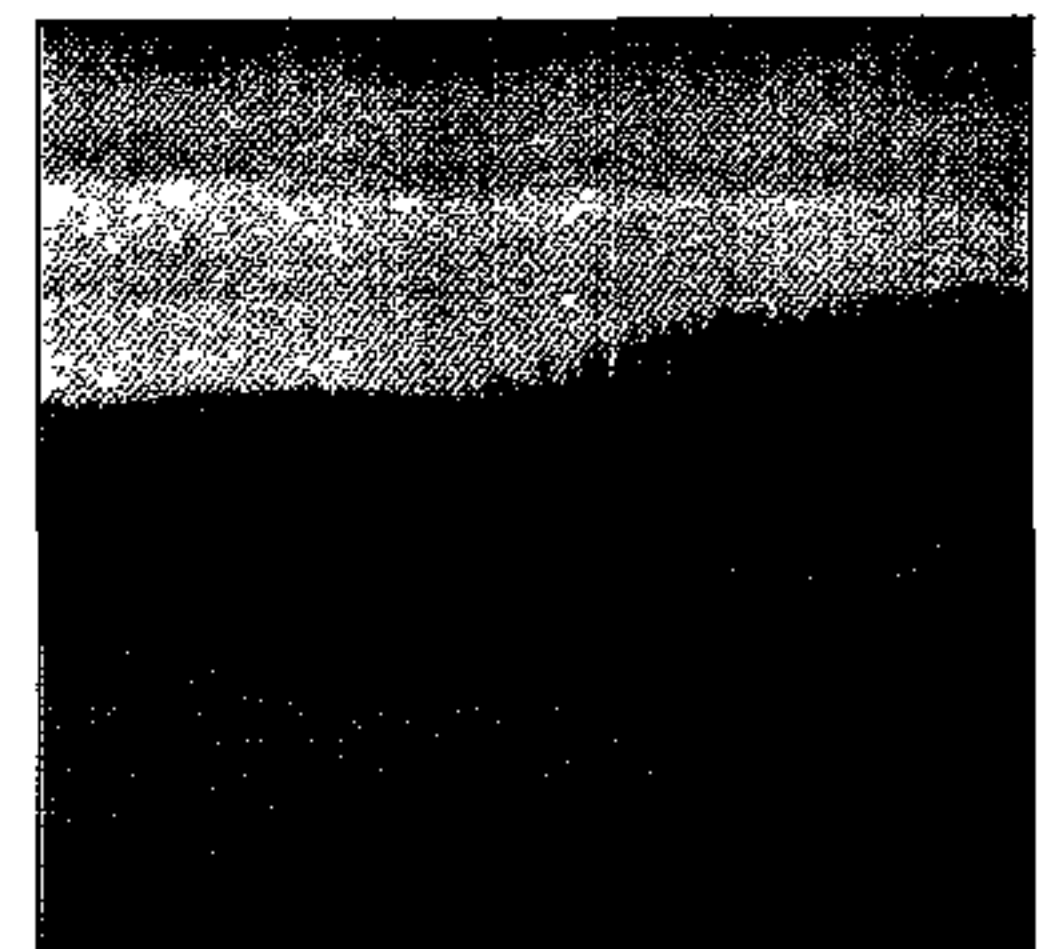


Although Baltimore City owns and maintains the reservoirs and drinking water system, Baltimore County has a special responsibility for the protection of the water supply. Baltimore City manages 17,200 acres of land surrounding the reservoirs, but this land comprises only 6% of the total reservoir watershed. Careful management of the entire watershed area for the three reservoirs is important for maintaining the water quality of the reservoirs.

The continuing water quality monitoring program conducted by the City of Baltimore since 1985 indicates that the reservoirs continue to be impacted by nutrient over-enrichment. In particular, phosphorus from sewage treatment plants, agriculture, and urban development is contributing to the excessive growth of nuisance algae.

Actions

1. Continue to participate with other area jurisdictions in the cooperative regional Reservoir Watershed Management Program, including participation in the Reservoir Technical Group for coordination of program implementation under the adopted Action Strategies and preparation of progress reports.
2. Continue commitments to restrict development in the reservoir watersheds.
3. Continue to implement non-point pollution control, stream restoration projects, and sewerage improvements.
4. Continue to prioritize implementation of projects to establish riparian forest buffers along stream systems in the reservoir watersheds in cooperation with private organizations and other public agencies.
5. Continue to participate in the Comprehensive Gunpowder River Watershed Study and work to address watershed management issues arising from the study.
6. In cooperation with citizen organizations, continue to implement the ambient biological stream monitoring program in order to provide information about the impacts of land use activities on reservoir stream quality, and to assist in the evaluation and implementation of management programs.



The county will continue to participate with other area jurisdictions in the cooperative regional Reservoir Watershed Management Program.



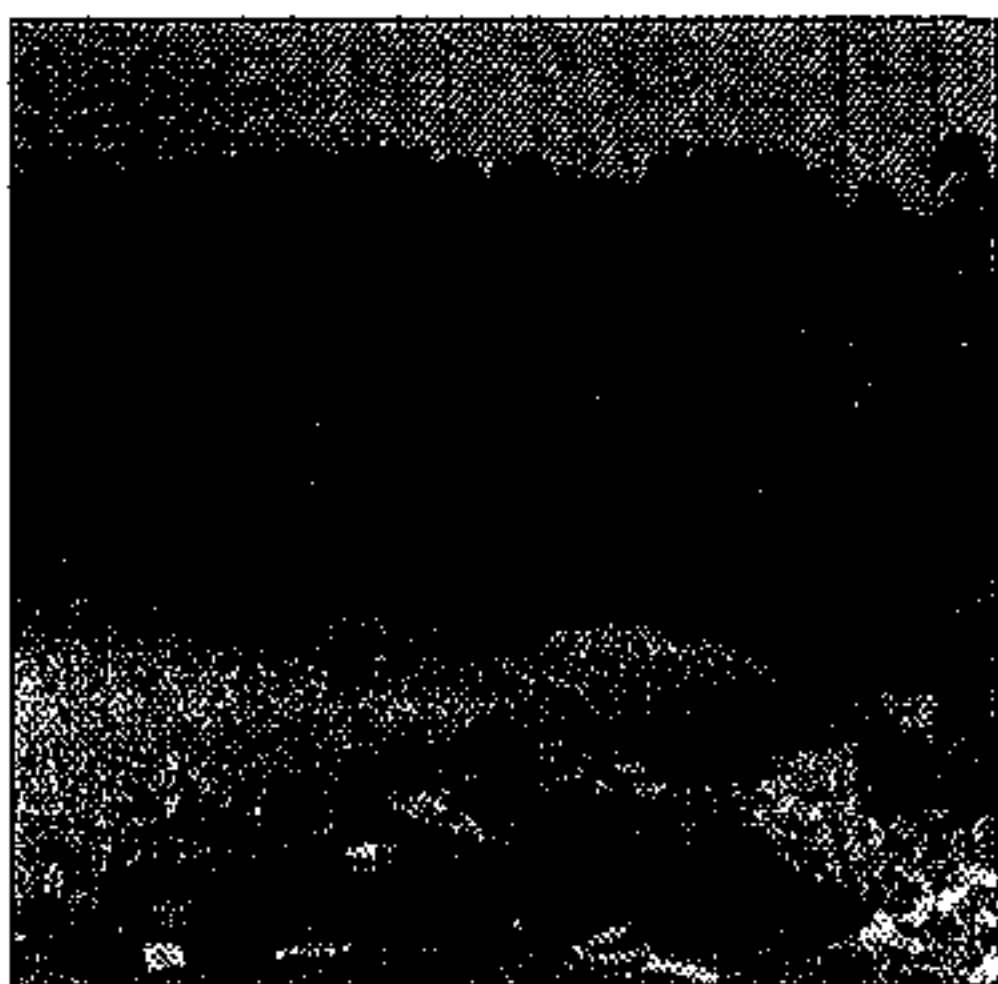
Issue: Protecting and Restoring Streams and Non-Tidal Wetlands

Baltimore County contains more than 2,100 miles of non-tidal streams and rivers, including more than 1,000 miles of streams that drain to the three drinking water reservoirs. Overall, the county has many miles of good quality streams and rivers. Some, such as the Gunpowder Falls, are recognized as among the highest quality recreational fishery resources in the eastern United States. A stream system consists of a stream and its associated floodplain, wetlands, and springs. Wetland and riparian vegetation play an essential role in the natural functioning of a stream system, including maintaining base flow, controlling water temperature, controlling pollution, and providing habitat.

Stream quality involves both the flowing water in stream channels and the plant and animal habitat. Flowing water quality is affected by pollutants from urban runoff (non-point sources, particularly from impervious surfaces) and by pollutants discharged directly to streams (point sources). Non-point source types of pollution are varied and include nutrients, sediments, metals, pesticides, oil and grease, salts, and other particulate and dissolved matter. Point-source pollution, such as from wastewater treatment plants, industries, and other sources with a direct, piped discharge, are regulated by the state. Stream-side non-tidal wetlands are important to the maintenance of stream flow, to the removal of pollutants, and to the quality of riparian habitat.

In recent years, increased attention has been directed to the impact of storm water management on stream systems. Developed initially to protect downstream areas from flooding as a result of upstream runoff, storm water management can also erode stream channels when the stored runoff volume is discharged at a sustained level. Responses to this problem include: (1) planned revisions to the state's storm water management regulations to manage the discharge of more frequent storm events and provide better protection to stream channels; (2) re-incorporation of the natural flood function into stream restoration projects where access to floodplains for the river are possible and where no downstream areas are susceptible to flooding damage; and (3) "low impact development" approaches wherein development is designed so as to increase the travel time and infiltration of runoff and to reduce the amount of impervious surfaces.

Physical changes to stream systems can be worse than pollutant runoff, point source discharges, or storm water management impacts. Many county streams have been degraded by channelization, encroachment of development on floodplains, draining and filling of riparian wetlands, removal



Eroding stream channels have resulted from storm water management discharge.

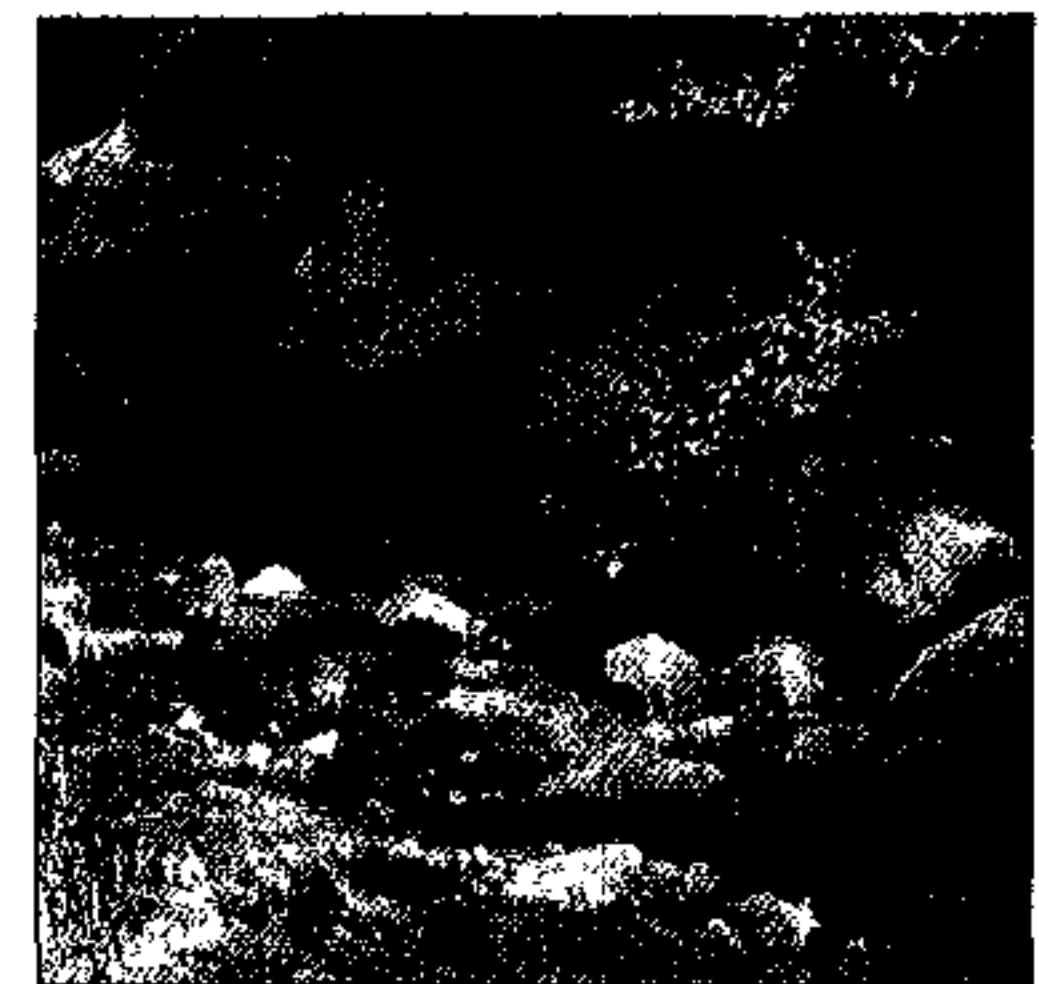
of riparian vegetation, and development or clearing of steep slopes and erodible soils adjacent to streams. Baltimore County has regulations to protect water quality, streams, wetlands, floodplains, forests, and steep or highly erodible slopes from land development impacts. In addition to these regulations, over the past ten years DEPRM staff have developed expertise in the restoration of destabilized stream channels. Reconstruction of channels employing the concepts of natural channel stability involves using natural materials such as boulders and vegetation in conjunction with reshaping of the stream channels. When properly constructed, these streams are a cost-effective and attractive means to restore physical stability, function, and habitat.



DEPRM initiated a stream biological monitoring program in fiscal year 1989 as part of its Citizens for Stream Restoration Campaign. The monitoring, conducted by citizen volunteers, measured the abundance and diversity of aquatic life as an indicator of stream quality. Summary data from the biological monitoring indicate that there is fairly widespread impairment of aquatic organisms, even if only moderate, for most of the county's streams (Map 20). Improvements to stream quality, in both water quality and habitat, will require a range of controls that best address specific types of pollution sources.

Actions

1. Continue to enforce the development regulations for the protection of water quality, streams, wetlands, and floodplains.
2. Continue to prepare watershed management plans and participate in studies to identify needs and opportunities for stream restoration, wetland creation or restoration, and storm water management.
3. Continue the design and construction of stream restoration projects, based on natural channel stability concepts.
4. Ensure inclusion of stream protection policies in all community plans. Continue to assist citizen efforts for stream clean-ups, stream surveys, watershed surveys, and other projects that improve streams.
5. Continue, in cooperation with citizen organizations, to implement and expand the stream biological monitoring program in order to measure the long-term trends in stream quality.
6. Encourage the use of "Low Impact Development" techniques for development site design in order to minimize impervious surfaces, reduce stormwater runoff and time of concentration of runoff, and increase the use of functional landscaping.
7. Identify opportunities for the creation of wetlands as mitigation for county capital projects and other land development impacts.



Reshaping and stabilizing stream channels using natural materials such as boulders and vegetation improves stream and habitat quality.



8. Continue environmental education programs for schools, businesses, and homeowners for the reduction of water pollution and toxic and solid wastes.
9. Continue to implement environmental maintenance programs such as storm drain inlet cleaning, and maintenance of stormwater management facilities.

Issue: Managing Forest Resources

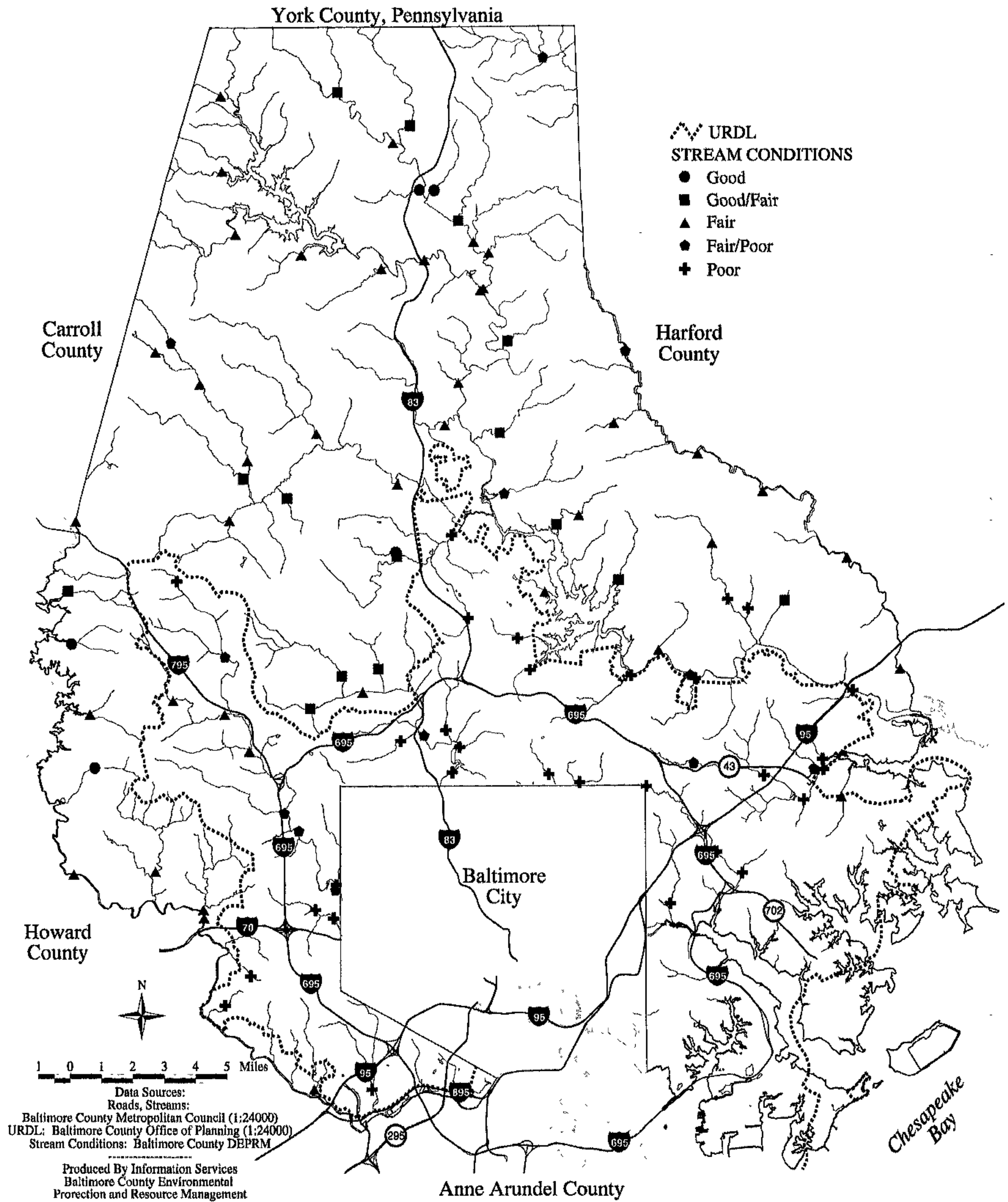
Baltimore County contains approximately 132,500 acres of forest and tree cover extending over 34.6% of the county's land area. The county's largest public-owned forest blocks, totaling 30,800 acres, are primarily in the three drinking water reservoirs; the Gunpowder Falls and Patapsco State Parks; the Soldiers Delight Natural Environment Area; Robert E. Lee Park; and Oregon Ridge Park. Only about 13,000 acres of the county's forests in private ownership occur in large blocks, and most of these are adjacent to the large public-owned areas.

Maryland's forests regulate the hydrologic and nutrient cycles of watersheds through the process of transpiration of water vapor from leaves to the atmosphere and retention of nutrients in leaves, which fall to the forest floor to decompose and become the source of dissolved nutrients for future uptake by trees. The critical role of the forest canopy in moderating temperature, light, and humidity in this process is well established. Also, because trees are relatively long-lived, they provide stable environments for a wide range of plants and animals that exist in the different layers or strata of the forest.



Preservation of the county's forest resources promotes habitat and water quality.

The clearing of forests for agriculture, forest products and land development, in association with ownership patterns, land use controls, and harvesting regulations, has resulted in a pattern of widespread forest fragmentation. The resulting impacts on the structure of the forest ecosystem directly affect the continued ecological function of the forest as a system and the associated benefits provided for people and other creatures. From a habitat perspective, forest decline is more of an issue for species that require large forest blocks, such as some species of birds, than for species that can utilize backyard gardens and community parks. For those areas such as streams and non-tidal wetlands where biological diversity is greatest, intact forest ecosystems are essential to maintain native communities. Promoting habitat and water quality functions of riparian forested buffers, in particular, is a major theme of the cooperative multi-state Chesapeake Bay Program.



MAP 20
STREAM CONDITIONS 1990-1995



**FOREST COVER IS
NEEDED TO MEET
THE DEMAND FOR
HARVESTING AS WELL
AS TO SUSTAIN
ECOLOGICAL
FUNCTIONS.**

Forests are also important for the production of lumber and other forest products. Regulations for forest harvesting, however, provide little protection of the ecological functions of forests beyond requirements for a minimal stream buffer and management measures to control erosion from the harvesting process. Additionally, while the regeneration of forests to pre-harvest conditions often requires many decades, forest harvesting is often repeated in much shorter cycles. Forest harvesting represents the greatest threat to the ecological functioning of the large private forest patches in the county, particularly in the rural areas. There is insufficient total forest cover in most watersheds to meet the demand for harvesting while sustaining ecological functions for stream and habitat stability.

Baltimore County's Forest Conservation Act of 1992 was passed pursuant to requirements of the Maryland Forest Conservation Act of 1991, the nation's first statewide forest protection measure. Through this law, developers are required to preserve or reestablish forests on development sites, or provide mitigation through off-site plantings or through the payment of fees to the county. Establishment of areas for mitigation of forest losses may be another alternative for meeting forest retention requirements.

DEPRM has recently conducted research for the Maryland Department of Natural Resources to develop and test a methodology to identify forest corridors for multiple ecological benefits (Map 21). While some species can survive in smaller patches, many forest dwellers require the larger interior forest habitats (greater than 200 acres) to exist. In addition to showing the dwindling large patch resource, the map identifies opportunities to connect and thereby enlarge fragmented areas.

DEPRM is preparing a countywide Forest Resource Management Plan that will describe core priority forest reserves and corridors for protection, and identify priority gaps for reforestation and the possible acquisition of conservation easements. Acquisition of easements over the years has already afforded considerable protection of existing forest, with 1,287 acres (44%) of Maryland Environmental Trust conservation easements purchased from FY 1992 to FY 1996 in forest cover. In addition, 565 acres (19%) of agricultural land preservation easements from FY 1991 to FY 1996 were in forest cover.

Actions

1. Continue to implement the local Forest Conservation Act as required



by the Maryland Forest Conservation Act of 1991, and evaluate its effectiveness.

2. Continue to conduct research on forest resource management issues and complete preparation of the Forest Resource Management Plan.
3. Increase the acreage of riparian forest buffers and the reforestation of other priority forest corridors and gaps.
4. Continue to provide support for the county Forest Conservancy District Board's programs for education of citizens about forest resource issues and for planning and implementation of reforestation projects.
5. Develop and ensure inclusion of reforestation policies in community plans and community conservation efforts.
6. Continue to promote the Tree-Mendous Maryland Program for community reforestation, including assisting communities with tree orders and delivery.

Issue: Protecting Plant and Animal Habitats (Biological Diversity)

Many of the issues related to protecting plant and animal habitats have been discussed as important components of stream and forest preservation. Traditionally, another important habitat issue is the protection of rare, threatened, or endangered plants and animals. DEPRM takes a broad view in habitat preservation, including not only the protection of rare or significant species, but also assuring long-term conservation of the habitats for upland, forest, riparian, wetland and aquatic plants and animals. This broader concept is called biological diversity.

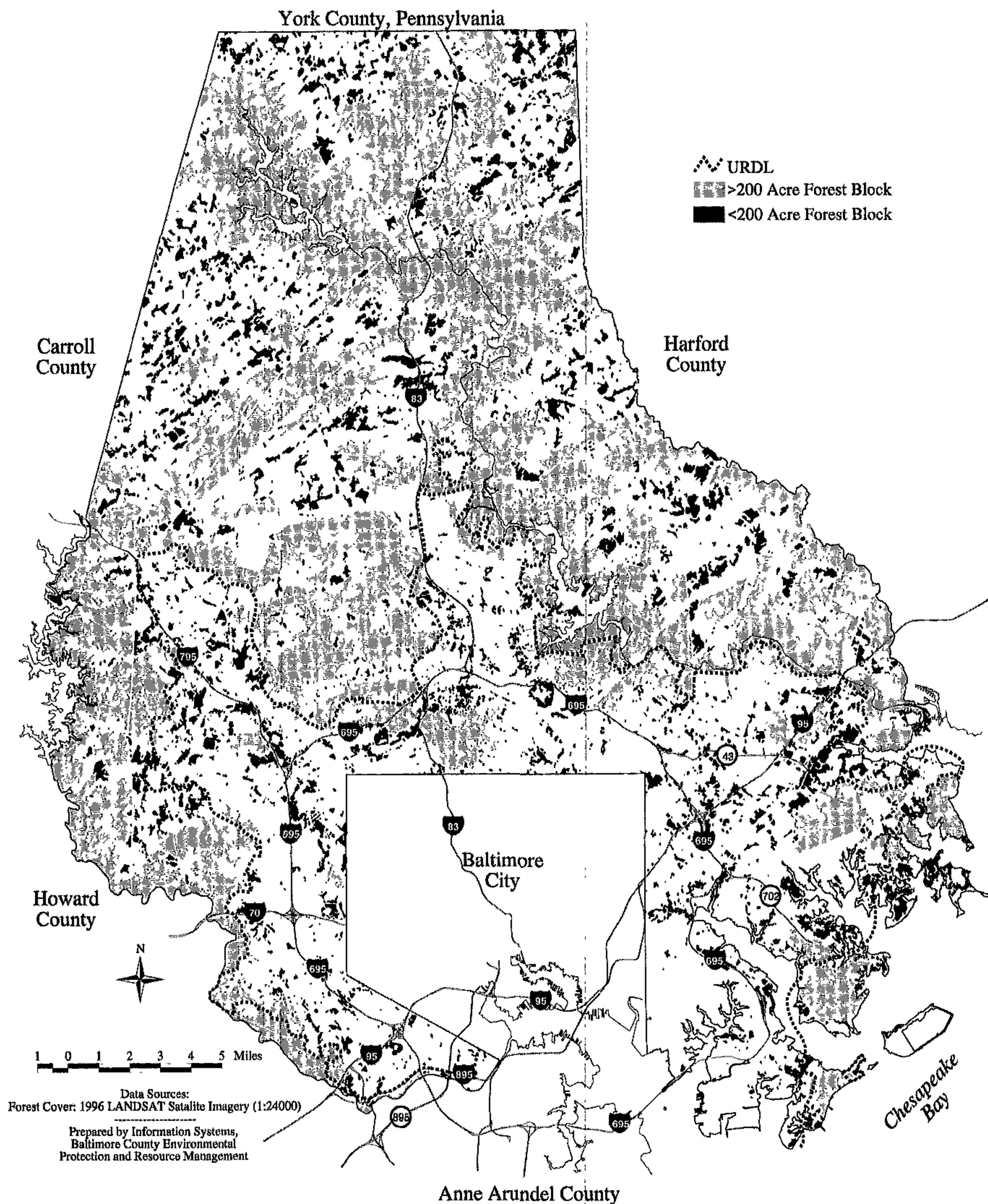
Actions

1. Continue to ensure that significant habitats are identified on development plans and continue to seek cooperation in protecting them through modification of site designs.
2. Seek to increase plant and animal habitat in conjunction with capital improvement projects for shore erosion control, stream restoration, wetland creation, and reforestation.
3. Work in cooperation with governmental and non-profit agencies to assess, protect, restore, and create habitats.

**HABITAT
PRESERVATION
INCLUDES LONG-TERM
CONSERVATION OF
THE HABITATS FOR
UPLAND, FOREST,
RIPARIAN, WETLAND
AND AQUATIC PLANTS
AND ANIMALS.**

Issue: Protecting the Chesapeake Bay, Tidal Wetlands and Rivers

Baltimore County contains about 175 miles of Chesapeake Bay shoreline. The bay and its tidal tributaries (the Patapsco, Back, Middle, and Gunpowder Rivers) are a unique natural resource. The intertidal zone, where land and water meet, is essential for providing protection and food for waterfowl



MAP 21
FOREST COVER

and aquatic life. Its health is fundamental to restoring the Chesapeake Bay, yet this area is threatened as a result of natural erosion and human activities.



There are numerous recreational and business opportunities related to the bay, such as boating, sailboarding, swimming, water skiing, fishing, crabbing, and bird-watching. Healthy swimming beaches and aquatic populations are essential to bay-related recreational and economic activities. Tidal waters which support a healthy submerged aquatic vegetation (SAV) community will most likely support the citizens' recreational and economic needs. The amount, type, and location of the SAV community is one indicator of the overall health of the tidal waters. These plants provide oxygen to the water and nesting sites for aquatic life.

Baltimore County continues to implement the Waterway Improvement Program, an initiative to enhance the resource quality of the shoreline communities. One component is a dredging program for the maintenance of existing boat channels in creeks and boat access "spurs" from these channels to individual waterfront properties. As part of the federal and state dredging permit requirements, Baltimore County surveys the SAVs in the channels to be dredged to assure that these resources are not impacted. The dredging permits also require that the county implement controls to help prevent future runoff of sediment and nutrients to the dredged channels.

DEPRM's Waterway Improvement Program also includes shore erosion control projects which have stabilized thousands of feet of steep, eroding shoreline with vegetated beaches and structural protection such as off-shore, gapped breakwaters where needed to control erosive wave energy. With the use of natural vegetation for stabilization, the county is introducing citizens to alternative shoreline protection approaches. These techniques are self-maintaining and therefore provide a much longer-term solution. Shore erosion control projects have been completed for many of the county's waterfront parks, and an updated project needs inventory has been completed to prioritize additional areas.

Most of the county's Chesapeake Bay shoreline is privately owned. Some of the county's oldest communities are located along the shore. Historical patterns of development have resulted in slicing the shoreline into multiple lots. This limits bay access to the individual lot owners and impacts each



Protection of the county's tidal wetlands and shorelines is essential for a variety of recreation and business activities.



stretch of shoreline with piers, bulkheads, and other manmade structures. The desire for access to the bay is continuing and has increased development pressures along the shoreline. Water-access communities and subdivisions are highly desired by homebuyers. Baltimore County encourages the use of group piers as an alternative to private piers. A single point of access to the water can serve multiple households, thereby minimizing disruption of the shoreline.

Land development proposals are reviewed for compliance with the Chesapeake Bay Critical Area Program. Baltimore County's program was enacted in 1988, following the passage of the Maryland Chesapeake Bay Critical Area Act in 1984 and the publishing of the regulations in 1986. This program encompasses all of the land within 1,000 feet of tidal waters and all of the southeastern peninsulas. Redevelopment of properties within these areas is limited in the amount of impervious surface on the site, the amount of trees and forest on the property, and the controls on storm water runoff. Tidal and nontidal wetlands are required to have naturally vegetated buffers, which filter the sediments and nutrients in runoff. A Buffer Management Program adopted by the county allows the continuation of maintenance activities and limited home improvements within the first 100 feet of shoreline, known as the critical area buffer. This has relieved homeowners of the burden of obtaining variances from the critical area criteria for many small additions.

*THE COUNTY
WILL IMPROVE
IMPLEMENTATION OF
THE CHESAPEAKE BAY
CRITICAL AREA
PROGRAM WHILE
MAINTAINING WATER
QUALITY AND
WILDLIFE HABITATS.*

Actions

1. Continue to implement the dredging component of the Waterway Improvement Program while protecting submerged aquatic vegetation.
2. Continue efforts to protect shorelines from erosion and improve the water quality and habitat value of tidal wetlands; use nonstructural measures, if appropriate, for shoreline stabilization, and enhance tidal wetlands by increasing the amount of native species.
3. Monitor and control upland sources of sediment and other water pollutants carried to waterways as storm water runoff.
4. Review permits for construction of shoreline structures and only allow structural measures where a nonstructural alternative does not exist.
5. Explore beneficial uses of dredge spoil disposal including shoreline stabilization projects and tidal marsh creation.
6. Improve implementation procedures of the Chesapeake Bay Critical Area Program while maintaining the high level of water quality and habitat standards.

Issue: Managing Mineral Resources

Throughout its history, locally abundant and varied mineral resources have played an important role in Baltimore County's economic development. The county's geologic formations have provided recoverable reserves of clays, sands, and gravels throughout many areas of eastern Baltimore County's Coastal Plain. Within the Piedmont physiographic province, the high-quality Cockeysville Marble was used for numerous building projects, innumerable row-house steps in Baltimore City, and renowned historic structures such as the Washington Monument in the District of Columbia. The Piedmont is also a source of other crystalline or hard rock reserves with great economic value, including iron ores, granites, gabbros, serpentines, and gneisses. While small mining operations were once prolific, competition from larger operations both inside and outside the county has reduced the number of active mining operations to a relative few.

The primary issue regarding the county's mineral resources centers on the fact that these resources are non-renewable and must be managed so as to remain accessible where economically recoverable in order to keep building construction costs competitive and to keep Baltimore County self-sufficient to the extent possible. In general, extraction of sand and gravel appears to be declining, as evidenced by the closure of operations in the White Marsh area. Conversely, extraction operations at large hard rock quarries, such as by Lafarge at Texas, appear stable. That operation, in particular, is generally believed to have viability for another fifty years.

Actions

1. Determine the current status of the mineral extraction industry in Baltimore County, the extent of land use conflicts with mining and reclamation, and evaluate the need for the county to intervene in these issues.
2. Encourage a continuing dialogue with the mineral resource industry to raise awareness of mineral resource-land use conflicts, and develop options for their resolution.
3. Identify and evaluate sites suitable for mineral extraction. Develop mechanisms to control pre-emptive development as well as allow the transfer of development density.
4. Assure that post-mining reclamation plans are compatible with surrounding land uses by compliance with the State Surface Mining Regulations.



The Redland Genstar quarry in Cockeysville is one of several large mineral extraction operations in the county.



**BALTIMORE COUNTY
IS SITUATED IN A
REGIONAL AIRSHED
THAT DOES NOT MEET
NATIONAL AIR
QUALITY STANDARDS
FOR OZONE.**

Issue: Attainment and Maintenance of the National Ambient Air-Quality Standards (NAAQS)

Baltimore County is located in a regional airshed shared with Baltimore City, and Carroll, Harford, Howard and Anne Arundel Counties. It is located in the center of the major north/south transportation route for the Eastern United States. The entire region has been designated as nonattainment for the NAAQS for ozone. Portions of this area also have been designated as nonattainment for carbon monoxide. Region-wide efforts will be required in order to attain these standards. In addition, control programs for sulfur dioxide, nitrogen oxides, lead, and inhalable particulates, for which the NAAQS are currently being achieved, must be maintained in order to prevent future violations of the standards. The regulatory authority for this activity is the Maryland Department of the Environment.

Actions

1. Implement the programs and regulations contained in the State Implementation Plan for ozone attainment. Ozone control activities will include control of new and existing point sources of ozone forming pollutants, as well as transportation control strategies and mobile source controls.
2. Implement carbon monoxide control activities to help achieve the national standards in the region and also to avoid the creation of localized carbon monoxide problem areas. Activities will include the monitoring of development activities, implementation of transportation controls, and control of point sources and mobile sources of carbon monoxide.
3. Maintain control strategies for the remaining air pollutants sulfur dioxide, nitrogen oxides, lead, and inhalable particulates, to prevent exceeding the standards in the future. Mobile source and transportation control considerations will also contribute to the control of these pollutants. New industries will be required to use the best available air pollution controls. In addition, minimization of inhalable particulates from land clearing, development and construction activity sites will be maintained.

Issue: Controlling Radon Pollution

Radon gas is a by-product of the naturally occurring radioactive decay of uranium- and radium-bearing rock formations and soils. When radon gets into residences and buildings, which have been sealed for energy conservation purposes, it can reach levels that represent a significant health threat. Long-term exposure to elevated levels of radon can lead to lung cancer. The Environmental Protection Agency has established what is



considered to be an unsafe level of radon in the home, above which some remedial action should be taken. It is extremely difficult to predict the presence of radon in individual homes or structures because indoor levels of radon are dependent upon individual characteristics and circumstances of each building. Thus, the only way to determine the potential radon threat in a particular home or building is to test the structure individually. Remedial actions are available to reduce the concentrations of radon gas in structures.

Actions

1. Distribute informational materials and make presentations to community and public interest groups to encourage property owners to test for radon, and provide information about remedial options as needed.
2. Identify and map on the Environmental Policy Plans geologic formations in the county with the potential to emit radon gas, and monitor available test results in order to identify potential radon problem areas.
3. Coordinate expanded testing in areas exhibiting a trend of high radon levels and develop a notification procedure for property owners in these areas.
4. Recommend inclusion of radon mitigation features in new construction in areas identified as potential radon problem areas.

Issue: Reducing Global Warming Trends

On a global scale, scientists are finding increasing evidence that the mean temperature of the earth is rising. This phenomenon is caused by the accumulation in the atmosphere of gases emanating from human industrial, agricultural, and deforestation activities. These gases, including carbon dioxide, methane, nitrous oxide, ozone and chlorofluorocarbons, allow the warming rays of the sun to reach the earth, but do not let the excess heat escape. The potential effects include shifts in weather patterns causing droughts in moist areas and heavy rains in deserts, a rise in sea level causing flooding of low lying coastal areas, increased intensity of tropical storms, and the destruction of crops and coastal wetlands. While this is a worldwide issue, the county, nonetheless, can take effective action on a local level.

WHILE GLOBAL WARMING IS A WORLDWIDE ISSUE, THE COUNTY CAN TAKE EFFECTIVE ACTION ON A LOCAL LEVEL.

Actions

1. Encourage the conservation of energy and the use of cleaner burning fuels in the residential, commercial, and industrial communities.
2. Reduce deforestation activities and continue forest replanting and restoration programs.



Issue: Controlling Noise Levels

Excessive noise is both a public health concern, and a nuisance problem. The state has established maximum allowable noise levels, and requires that excessive noise be mitigated. But enforcement of state noise regulations is complaint-driven and does not help to prevent the establishment of unlawful noise sources. Once a noisy industrial plant or highway is built, it is often difficult and costly, or impossible, to effectively reduce the noise. The county could prevent the need for costly noise mitigation by developing and enforcing site design standards and zoning requirements that avoid noise conflicts.

Action

Consider revising the zoning map to establish buffers or transitional zones in areas where the zoning would permit noise-generating land uses close to noise-sensitive land uses.

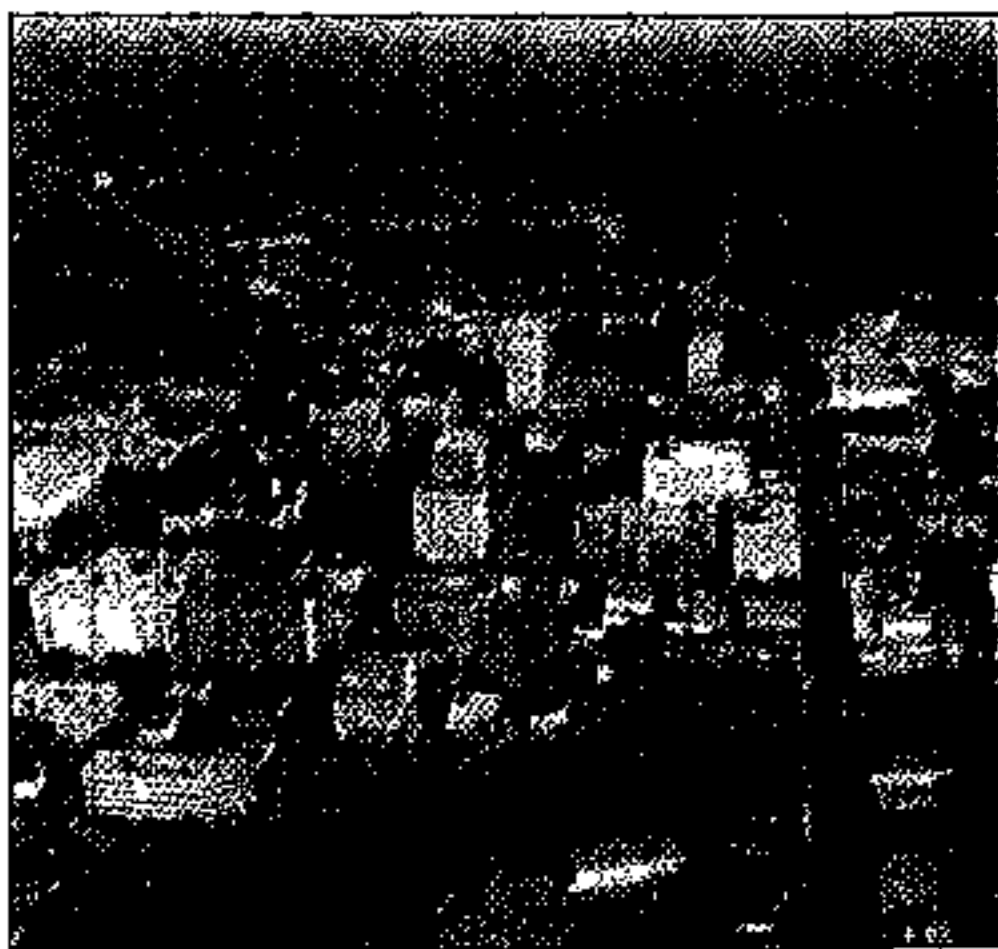
URBAN LAND MANAGEMENT

INTRODUCTION

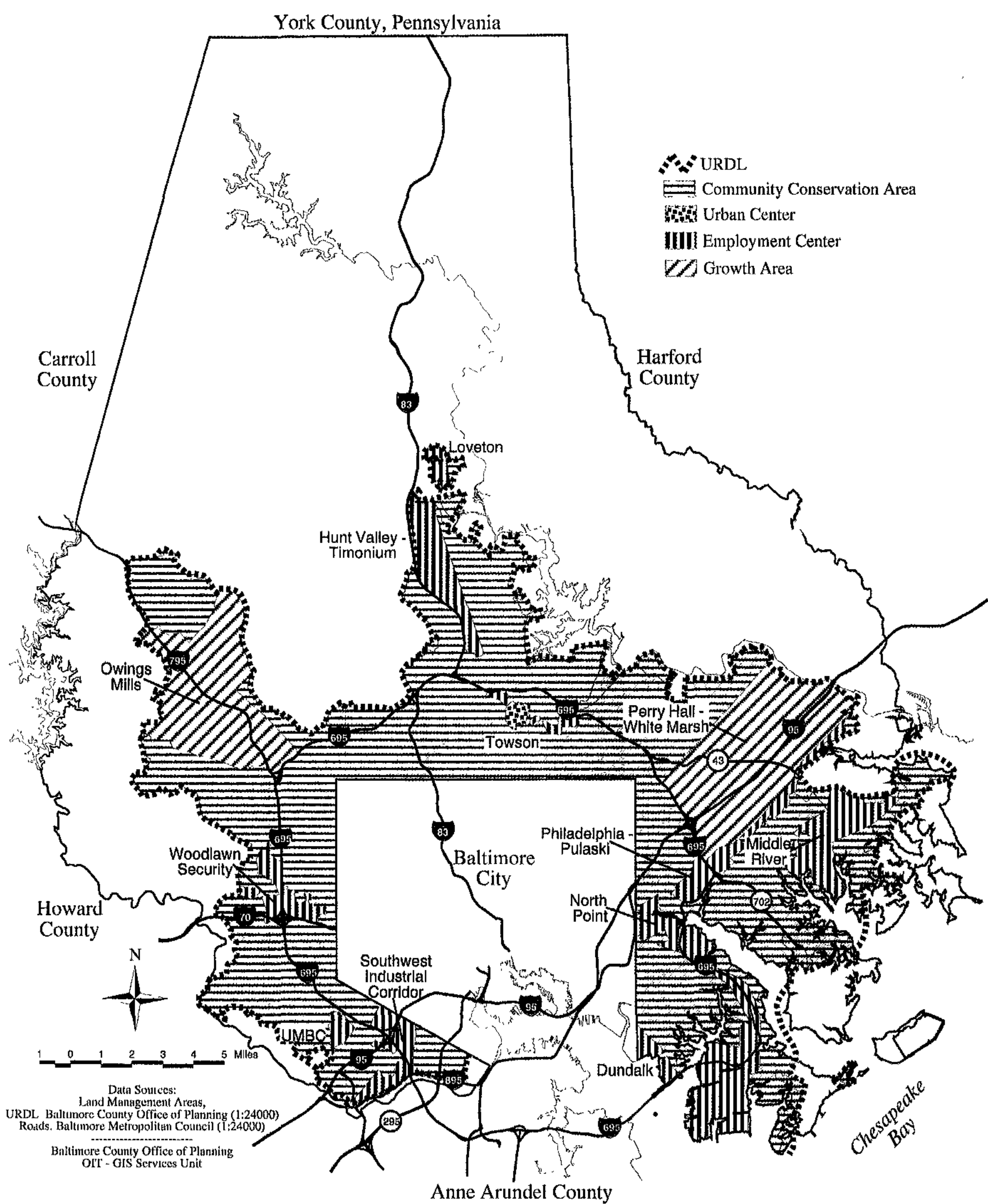
This section of the master plan focuses on specific land management areas and land use issues within the county's urban areas. Community Conservation Areas comprise the largest portion of the land management areas, consisting of the older residential communities and commercial areas of the county within the URDL. Other urban land management areas include employment centers, the two growth areas (Perry Hall-White Marsh and Owings Mills), and the Towson Urban Center (Map 22). All of the land management areas addressed in this section are subject to the provisions of Title 9, Article IV of the Baltimore County Code.

COMMUNITY CONSERVATION AREAS

Successful communities usually have a combination of well-designed neighborhoods, well-maintained housing, efficient public services and facilities, community-serving businesses, family-supporting employment opportunities, and citizens who are actively engaged in community life. Most of Baltimore County's older communities started with these elements and are maturing gracefully, but change and age can weaken the fabric of



The county's urban land management areas include community conservation areas, an urban center, growth areas, and employment areas.



MAP 22
URBAN LAND MANAGEMENT AREAS



communities, making them vulnerable. The purpose of the community conservation strategy is to ensure that the older communities retain their vitality, especially by initiating prompt remedial actions in those neighborhoods that are showing signs of stress.

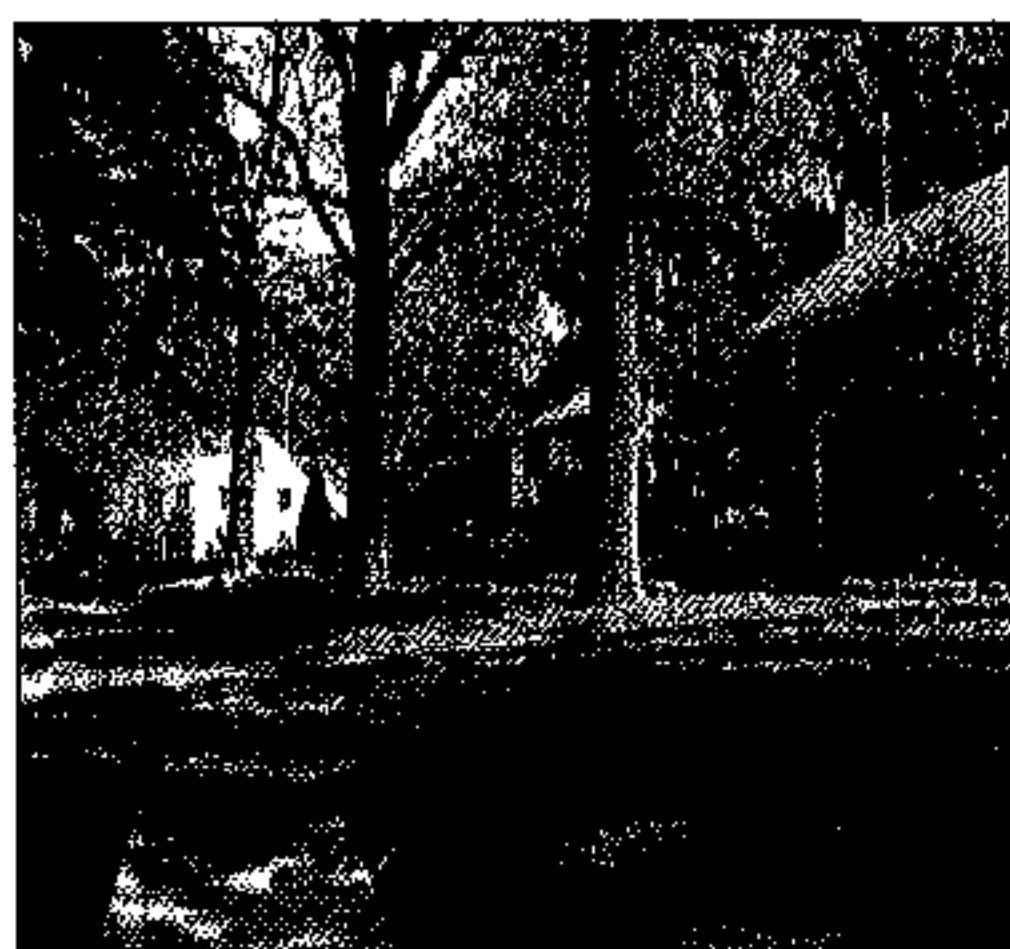
POLICIES

- Target public capital resources to community conservation areas for the maintenance and upgrading of neighborhood streets, alleys, parks, schools, and other facilities.
- Facilitate the consolidation and redevelopment of abandoned and underused properties for uses that enhance community conservation areas.

RESIDENTIAL COMMUNITY CONSERVATION AREAS

INTRODUCTION

Residential community conservation areas comprise the largest land use within the URDL. Almost 75% of Baltimore County's population lives in community conservation areas. The population growth in these areas over the past several decades produced a proliferation of housing, beginning in the 1940s around the city line and expanding outward. Many desirable neighborhoods, developed close to shopping and work, retain their appeal and value today. However, in a few places, property values have not been sustained. The county needs to continue working to understand the social forces and physical attributes that make some residential neighborhoods flourish for generation after generation, and the processes needed to reinvigorate communities that are beginning to show signs of decline.



Most of the county's older neighborhoods have retained their appeal and value.

Housing that is well-designed and well-built tends to hold its value over time, enhancing perceptions of the community. However, as housing ages, systems need to be upgraded or replaced, and the housing must be modernized to appeal to contemporary homebuyers. Resources have to be invested in old houses in order for them to compete effectively with new housing in the home buying market.



Neighborhoods will frequently undergo several cycles of reinvestment. In a healthy reinvestment cycle, housing is maintained and reused by successive generations. As a neighborhood matures, new families replace the older residents. The new residents renovate and upgrade the housing, leading to continued neighborhood stability. When housing is not maintained, an unhealthy cycle starts as families bypass older communities to look for housing in newer suburban developments and in rural areas. When this happens, subsequent reinvestment in the older communities does not occur. Over time, the rate of home ownership tends to decrease, properties continue to decline, and vacancies increase. Eventually, such communities can become areas of concentrated poverty and blight.

Several interrelated factors can influence the extent to which reinvestment is likely to occur in a community. They include the quality and age of housing construction, the changing demands of the housing market, the proximity of employment and shopping, and the condition of the public infrastructure. Social conditions, particularly the quality of the schools and the perception of public safety, are critical factors affecting the desirability of a community as a place to live. The physical form and appearance of the neighborhood, which includes the street network, the location and use of open space, and features such as alleys, sidewalks and street trees, also affects its desirability.

The county has embarked on an aggressive program to renovate, repair and improve a variety of public facilities and infrastructure systems, including schools, recreation sites, roads, streetscapes, and alleys. These improvements are important components of a comprehensive approach to reinvigorating the county's older residential neighborhoods.

The mix of housing types and how adjoining land uses are interrelated may also affect a neighborhood's sustainability. Attitudes on how to design residential areas are changing. The pervasive suburban development pattern of sprawling, low density tract housing, which has accommodated population growth all across America since the 1950s, has promoted dependence on the automobile and fostered a sense of detachment and isolation. A return to traditional residential land use patterns with smaller lot sizes, convenient public open spaces, proximity to shopping, and pedestrian accessibility, is currently thought to provide a better physical framework for promoting healthy, cohesive neighborhoods with a strong community identity.

*TRADITIONAL LAND
USE PATTERNS WITH
GREATER EMPHASIS
ON PEDESTRIAN
ACCESSIBILITY AND
PROXIMITY TO
SHOPPING AND OPEN
SPACES CAN CREATE
MORE COHESIVE
NEIGHBORHOODS.*



The type of housing provided within the neighborhood should vary according to the needs of the population. Housing should be organized in a land use pattern that takes best advantage of the existing transportation network, and promotes pedestrian accessibility. Models for providing an appropriate mix of housing types that will promote sustainable communities should be developed as they relate to reinvigorating existing communities, as well as for new residential construction, to ensure their sustainability in the future.

While the county's residential community conservation areas have been essentially built-out, there are frequently opportunities for infill development or redevelopment of older, declining properties. Usually, the remaining vacant parcels within a community are small and are dispersed throughout the neighborhood, but occasionally larger vacant parcels may exist and become available for infill development. In some instances, infill development has resulted from resubdividing existing properties whereby the rears of larger lots are accessed by "panhandle" driveways to accommodate new housing sites. Panhandle and other incompatible infill developments disrupt the residential pattern of the neighborhood. The added density can place additional burdens on the existing infrastructure, including roads and schools. The county is preparing a coordinated response to address the issues of housing densities, redevelopment, and infill parcels. Through community conservation and planning efforts, residential density is being evaluated. Infill parcels are being examined for their potential to provide quality open space and/or recreational opportunities.



Incompatible infill disrupts the pattern of the neighborhood.

The Baltimore County Office of Community Conservation was created to lead the county's community conservation effort. Part of the office's function is to coordinate among various agencies that provide critical community services, such as education, recreation, health, and infrastructure development. In 1996, the office published the *Consolidated Plan 1996-2000, Baltimore County, Maryland*, which responded to the US Department of Housing and Urban Development (HUD) requirement for a plan describing how resources will be used to address community development. Housing is one of eight "strategic issues" identified in the consolidated plan's five-year strategy. The consolidated plan provides for numerous programs and initiatives endorsed by *Master Plan 2010*.

In addition to the physical aspects of the county's residential communities, the county must also address social trends. Underlying all aspects of the

human environment are individuals' social values and behavior towards others. A decline in community involvement, concern for others in society, or civic pride can be threats to residential communities. Baltimore County is diverse and becoming more so as time goes by. Diversity includes things such as age, religion, race, and household income. Citizens should appreciate and celebrate this diversity as an asset. Measures are needed which will promote community stewardship, civic pride, and an appreciation for diversity, encouraging all members of the community to take responsibility for its future.

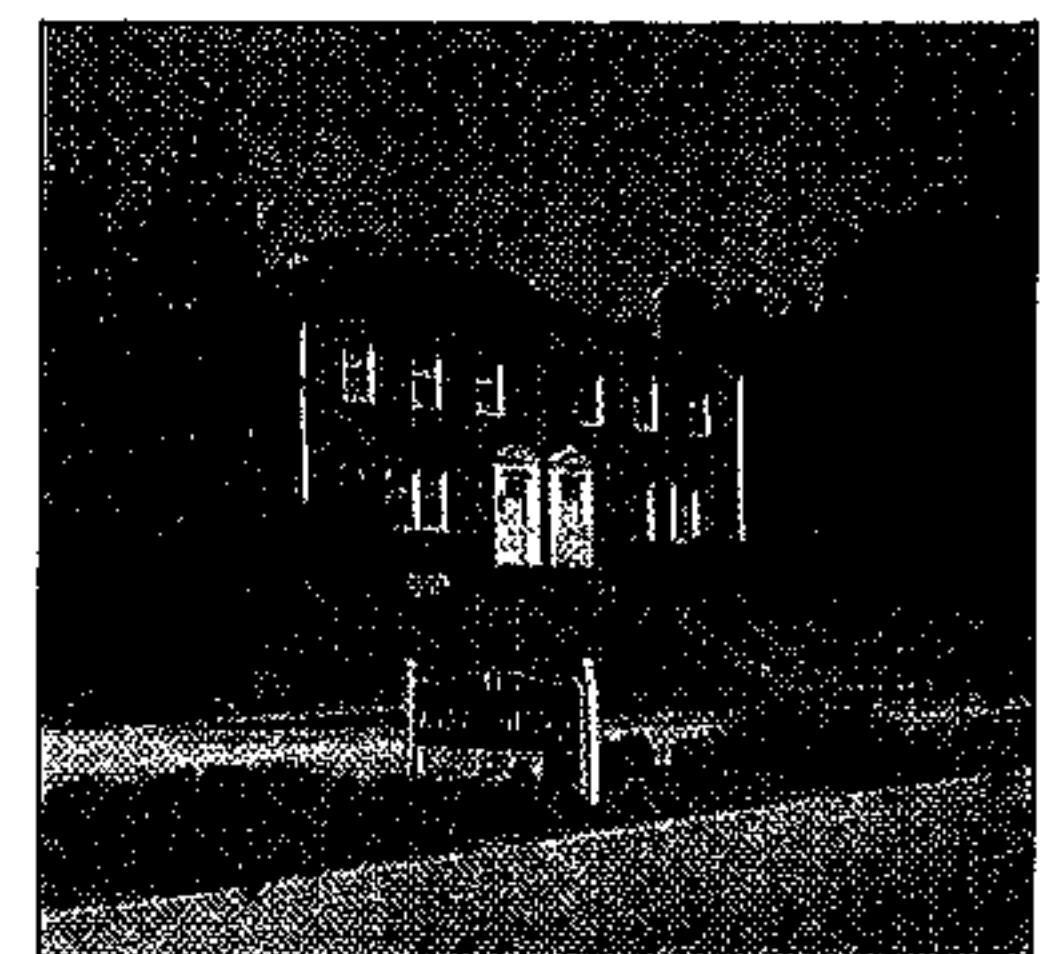


POLICIES

- Enhance and market the positive attributes of the older neighborhoods.
- Nurture community stability by actively promoting home ownership.
- Encourage property owners to update existing homes to increase their future marketability.
- Encourage attractive and well-maintained rental housing.
- Ensure that the permitted use and density of "infill" parcels enhances established communities.
- Preserve or create open space parcels in established communities, particularly those with higher densities.
- Ensure that community services address community needs and are accessible to residents.
- Encourage the development of housing for the elderly close to town and community centers.
- Encourage the accommodation of citizens with disabilities in new housing design.
- Foster civic pride, appreciation for diversity, and community involvement.

ISSUES AND ACTIONS

Sustaining the county's residential neighborhoods will require a comprehensive, multi-agency approach that considers all factors contributing to their stability. Key elements of neighborhood stability are well-maintained housing and attractive neighborhoods, serving the needs of the county's residents at all income levels and stages of life. Improving the appearance of residential areas will promote a sense of community ownership and pride. The county must work in partnership with local residents and community associations to create customized neighborhood conservation plans, which foster community stewardship.



Instilling a sense of community ownership and pride is a key element of neighborhood stability.



Issue: Density and Development

Basic to the development of residential neighborhoods is the concept of density. Through community planning efforts, the quality and mix of housing types should be analyzed to ensure that the housing stock, density, and the residential pattern will continue to support neighborhood viability. The presence of potential infill and redevelopment sites should be examined. In some instances, vacant parcels can provide visual open space, which is critical to the visual quality of the neighborhood and should be maintained. In other instances, infill development that is compatible with the character of the neighborhood may be appropriate. And, in still other instances, new development that will promote redevelopment or revitalization of the surrounding housing may be appropriate.

In the past, construction in established communities has not always been compatible with the existing housing. The county established its present zoning classifications in the 1950s. In many instances, the zoning designation, which was established for existing residential areas, reflects a density that is higher than the density at which these neighborhoods were originally built. When new housing is developed on vacant parcels within the neighborhood, it is usually at the higher density. Some infill developments create panhandle lots to construct additional housing within the interior of existing blocks. Besides the visual disruption of the residential pattern, the additional density can result in the overloading of the surrounding roads, on-street parking, schools, parks, and community services.

*WHERE POSSIBLE,
INFILL AND
REDEVELOPMENT
SITES SHOULD BE
USED TO PROVIDE
NEEDED OPEN SPACE
AND RECREATION
OPPORTUNITIES.*

Where possible, infill and redevelopment sites should be used to provide needed open space and recreation opportunities. Redevelopment of deteriorating, higher density apartments and townhouses in older neighborhoods to create lower density single family housing will attract homebuyers, stimulating the housing market in the community. Redevelopment can also be used to create better distribution of socio-economic groups to reduce or prevent concentrations of poverty. Where a need for new residential construction is identified, it should be compatible with the existing density of the neighborhood.

Actions

1. For each community plan, evaluate the type and condition of the existing housing.
2. Perform a detailed demographic analysis including projections to determine housing needs.



3. Develop a community consensus on the density and housing mix that would be appropriate to ensure community stability.
4. Identify land parcels that will accommodate the desired housing mix, and opportunities for public spaces like playgrounds or parks. This may involve utilization of vacant parcels, or redevelopment of built parcels.
5. Determine the appropriate future land use for vacant parcels, including parcels that could become available for infill development in the future. Any infill development that creates panhandle lots should be discouraged.
6. Evaluate the development potential and density of vacant parcels zoned DR-5.5, DR-10.5, DR-16, RAE, and OT to determine appropriate land use.
7. Revise zoning as appropriate, either through the four-year Comprehensive Zoning Map Process, or through a rezoning process completed as part of a community plan. Residential zoning of land should be comparable to the existing ("built-out") density in the surrounding area or neighborhood.
8. To assist in the redevelopment of seriously deteriorated housing, consider the creation of mechanisms to acquire, consolidate and strategically redevelop parcels to promote neighborhood revitalization.
9. Create a public/private mechanism for purchasing and maintaining infill parcels as open space, where appropriate.
10. Investigate mechanisms such as overlay districts, performance standards, or lower density residential zones, which would ensure that neighborhoods remain at appropriate densities.
11. Investigate the feasibility of creating non-governmental land trusts for the acquisition and care of small parcels for the creation of open spaces.

Issue: Ensuring Sustainable Neighborhoods

Addressing the quality of residential neighborhoods will necessitate examining each locality in detail as part of a community plan. Applicable principles, which can be implemented to foster community cohesion for each community, should include:

- providing attractive, well-maintained housing, streets and landscaping;
- providing public spaces including playgrounds, parks and community centers;
- providing interconnected road networks that diffuse traffic through neighborhoods, rather than concentrating it on internal collector streets, and avoiding cul-de-sacs and panhandles; and

*THE COUNTY WILL
EVALUATE THE
DEVELOPMENT
POTENTIAL AND
DENSITY OF VACANT
PARCELS ZONED TO
DETERMINE
APPROPRIATE LAND
USE.*



- ensuring pedestrian accessibility within the neighborhood and to shopping, transit stops, recreation, and schools.

New development in existing neighborhoods is frequently not compatible in scale or design. Inappropriately located, dissimilar housing designs can lead to disunity in the visual fabric, and break down the cohesiveness of the community. Conversely, in a neighborhood that is experiencing a decline in the maintenance of its housing stock, appropriately located, compatible housing designs that are physically more attractive can improve the perception of the community, and provide an impetus for renovating the existing housing.

Actions

1. Ensure safe pedestrian accessibility to shopping, recreation, and schools.
2. Continue the county's program for pavement resurfacing of roads and alleys.
3. Provide adequate lighting levels for streets, parking areas, and public walkways.
4. Ensure appropriate screening and buffering for parking areas, trash areas, and other unattractive storage or service uses.
5. Encourage periodic neighborhood cleanup campaigns to remove accumulated trash and debris from public areas, and allow residents to easily dispose of unwanted personal belongings.
6. Improve the attractiveness of the community and promote community identity by providing street trees, community planting areas, and neighborhood identification signs.

*THE COUNTY
SHOULD FACILITATE
THE PROVISION OF
INDEPENDENT LIVING
FOR ITS GROWING
SENIOR POPULATION.*

Issue: Providing Housing for the Growing Senior Population and for the Disabled

As the county's population ages, the proportion of residents who are disabled or frail will increase. Older citizens and people with disabilities need good choices with respect to where and how they live. Some people with disabilities need special services that can be provided in their own homes or in group homes called assisted living facilities.

A majority of frail seniors and people with disabilities prefer to live independently, when it is feasible. The county should consider actions that help to facilitate independent living. Home sharing is a housing option that helps connect single homeowners with compatible individuals who want to share a home and

expenses. It can provide companionship, financial support, and help with chores, making it easier for some seniors and people with disabilities to remain in their homes.



Existing homes often need modifications to provide for independent living. The extent and cost of these modifications could be reduced if new dwellings were designed with disabled people in mind. "Adaptability" refers to the condition of a dwelling that would allow it to be easily modified as a residence for a person with disabilities.

"Visitability" refers to the condition of a private dwelling which enables a disabled person to enter, move about on the first floor, and use the restroom. Private homes as well as public facilities should be easy to visit so that a person with a disability can pursue an active social and community life rather than being confined at home.

Adaptability and visitability are flexible concepts. An adaptable or visitable dwelling can include features as simple and inexpensive as lowering light switches so that someone can easily reach them from a wheelchair.

Action

Assess the needs, benefits, and costs of adaptable and visitable housing.

Issue: Promoting Home Ownership

A mix of homeowner and rental housing is desirable because it provides options for people with different resources and needs. Nevertheless, home ownership helps stabilize communities because owner-residents have a special stake in the community's future. Baltimore County is fortunate to have a home ownership rate higher than the national average, and the county is taking steps to help maintain and increase home ownership in the community conservation areas. The county has instituted two programs to provide assistance with settlement and closing costs to income-qualified first time homebuyers. This assistance is coupled with homeownership education and counseling services. The Settlement Expense Loan Program (SELP) serves homebuyers throughout the community conservation areas whose incomes are low to moderate (less than 80% of median). The Incentive Purchase Program (IPP), which received the Housing and Urban Development Best Practices award in 1998, serves middle income homebuyers (up to 110% of median) who purchase a home in one of three targeted communities. In addition, state and federal programs exist to provide

*HOME OWNERSHIP
HELPS STABILIZE
COMMUNITIES
BECAUSE OWNER-
RESIDENTS HAVE A
SPECIAL STAKE IN
THE COMMUNITY'S
FUTURE.*



homebuyers with mortgage guarantees and favorable mortgage terms. These programs are largely aimed at helping first time homebuyers, those buyers who generally face the greatest barriers to homeownership. But newer housing in neighboring counties continues to attract Baltimore County's move-up middle income homebuyers. The county should determine ways to effectively promote its many attractive neighborhoods to all segments of the residential real estate market.

Actions

1. Determine whether there is an unmet need for programs like the IPP in additional communities. Consider developing new sources of settlement loan funds that are less restrictive than SELP, if needed.
2. Where appropriate, address housing and marketing strategies in community plans.
3. Work to develop a countywide, neighborhood promotion and marketing plan.
4. Continue to support and promote quality homeownership counseling and educational programs for first time homebuyers throughout the county.

Issue: Maintaining the Existing Housing Stock

The value of older housing diminishes when it is not well maintained. Moreover, poor property maintenance projects a negative community image. This image can demoralize existing residents, discourage community involvement, and dampen home sales.

**POOR PROPERTY
MAINTENANCE
PROJECTS A NEGATIVE
COMMUNITY IMAGE.**

Recognizing the importance of this problem, Baltimore County has expanded and consolidated its code enforcement capabilities. Inspectors who previously enforced different property codes working out of different county agencies have been cross trained and are now located in a single agency. In addition, the county has established the Community Code Enforcement Program. Through this partnership, community associations can conduct their own exterior property inspections in cooperation with county code enforcement staff and issue notices to property owners requesting voluntary compliance. If conditions are not abated, county staff can follow up with an official inspection. Although code enforcement is handled mostly on a complaint basis, the county has conducted occasional comprehensive "sweeps" through designated areas. Sweeps can be used to target specific problems, such as junked cars, or to target areas with generally inadequate property maintenance.

Actions

1. Regularly and thoroughly enforce all property maintenance codes.
2. Encourage community associations to participate in the Community Code Enforcement Program.
3. Develop cost-effective methods for demolishing vacant buildings that are nuisances.
4. Educate property owners and renters about their responsibilities for compliance with property maintenance codes.



Issue: Updating the Existing Housing Stock

To hold its value, housing must not only be well maintained, but also periodically updated. Housing built prior to 1970 often does not contain features considered standard today such as central air conditioning, multiple baths, large closets, modern kitchens, and large specialty rooms. Approximately 60% of the county's housing stock is pre-1970 vintage. Homeowner housing that does not remain competitive may convert to rental housing or resell at lower prices, potentially inducing deterioration of the housing stock and the surrounding community. Because older housing constitutes such a large portion of the county's housing stock, creative, large-scale initiatives are needed to increase marketability and resale values.

Several programs exist to provide financing for the rehabilitation of single family homes. They include a county loan program, a more restrictive state program for the repair of emergency conditions, and a federal loan guarantec program for the rehabilitation of a home at the time of acquisition. These programs, which are administered through the Baltimore County Office of Community Conservation, serve only low to moderate-income homeowners and homebuyers. County loan rehabilitation programs received two awards from the State Department of Housing and Community Development in 1998.

Actions

1. Encourage the use of existing rehabilitation loan programs for homeowners in designated areas; identify gaps and facilitate the establishment of creative new renovation financing initiatives through local financial institutions.
2. Facilitate creative community-wide repair initiatives, such as volume buying for sidewalk, curb/gutter or driveway repairs, re-roofing, and large tree pruning.



Creative initiatives are needed to increase the marketability and resale values of the county's older housing.



3. Educate homeowners about the financial resources available for, and benefits of, quality home renovations.

Issue: Providing for Attractive and Well-Maintained Rental Housing

While homeownership helps to keep communities stable, a supply of quality rental housing throughout the county provides choices and flexibility for people in a variety of circumstances such as students and young working adults who are not ready to own a home; elderly people who are no longer able to take care of a home; families who cannot afford to own a home; or move-up buyers in transition between homes.

Rental housing comprises nearly one-third of Baltimore County's total housing stock. Over 80% of the rental units are located in the community conservation areas, and include scattered, single family houses as well as garden and mid-rise apartment buildings. The balance of the rental housing is primarily located in the growth areas and the Towson Urban Center, where the zoning allows for high-density elevator apartments.

Most of Baltimore County's rental housing is well maintained and well managed. County agencies have provided training courses for property managers on a number of topics, including livability code compliance and enforcement; Section 8 subsidy program policies, procedures, and responsibilities; tenant selection, including how to perform criminal background and credit checks; how to write and enforce leases; and lead paint testing. Nevertheless, there are a few troubled rental housing complexes that are characterized by combinations of obsolescence, physical deterioration, poor management, concentrated poverty, high rates of crime, and vacancy. The county has pursued the selective demolition of sections of troubled large-scale rental housing complexes having these characteristics in order to preserve surrounding communities, reduce density, and increase the amount of open space. The reduced density, along with targeted efforts to improve the delivery of public safety, health, social, and recreational services, is intended to make these communities more stable and livable.



A supply of quality rental housing throughout the county provides choices.

Actions

1. Continue training programs on best management practices for property managers of multi-family and scattered single family rental housing.
2. Establish a process for the registration of rental property owners to facilitate owner/management education and to enable the county to identify such owners for property code enforcement purposes.



3. Continue to reduce density in selected, troubled, large-scale rental complexes.
4. Evaluate the feasibility of setting up a revolving loan fund for cleanup and repair of substandard rental properties.
5. Identify code enforcement "problem properties" among apartment complexes and individual rental properties and concentrate resources on these properties.
6. Continue to conduct annual fire inspections in all multi-family buildings.
7. Consider establishing an annual or periodic interior and exterior code inspection in all apartment buildings.
8. Develop educational resources to inform tenants of their rights and responsibilities under the provisions of the livability code.

Issue: Reducing the Conversion of Owner-Occupied Homes to Rentals

In general, falling property values invite speculators to convert housing to rental units. Therefore, the best way to prevent large-scale rental conversion in homeowner neighborhoods is to keep the neighborhoods attractive for homeownership through a broad range of conservation efforts that help to maintain property values. Specific neighborhoods that may be at particular risk for conversion to rental status require targeted strategies to minimize rental conversions. Such neighborhoods may include those with a concentration of higher risk home mortgagees who may be more likely to default, particularly in a recessionary period, and those with a high proportion of elderly homeowners.

A house is most likely to be converted to rental status when a quick sale is desired, such as when the homeowner becomes sick or disabled and needs a different living environment; when the owner dies, to settle the estate; when a spouse dies or a couple divorces; or when the lender forecloses on the mortgage. In some of these circumstances, it is common to sell the house at auction. Ordinary homebuyers tend to avoid auctions because the process is intimidating and requires ready cash. Consequently, professional investors usually purchase houses sold at auctions. In addition, some investors seek out and approach potential sellers who may not want to list a house for sale with a real estate agent, or who may have become frustrated by a slow home sale market.

Strategies to address this issue include helping to prevent mortgage foreclosure; encouraging home sellers to list their houses with real estate agents rather than selling to investors; and making the choice to remain in their homes more attractive to seniors and disabled homeowners.

*FALLING PROPERTY
VALUES INVITE
SPECULATORS TO
CONVERT HOUSING
TO RENTAL UNITS.*



Actions

1. Conduct educational workshops for home sellers, particularly targeting elderly residents through senior centers; emphasize the advantages of listing a house with a real estate broker, rather than selling directly to an investor.
2. Continue to provide pre-purchase home ownership counseling to help ensure that first time home buyers are prepared to undertake the financial responsibility of owning a home.
3. Create and promote counseling and referral services to intervene and help prevent mortgage foreclosure when homeowners are in default.

Issue: Fostering Citizen Involvement and Community Stewardship

Citizen involvement is essential to avoid the loss of civic pride and sense of responsibility that can damage communities. The county must promote the stewardship of each community by its residents to strengthen and reinforce its positive social and physical aspects. Community stewardship encompasses maintaining and improving the physical resources of the neighborhood, its housing, infrastructure, open space and overall design, as well as promoting social cohesiveness and responsibility.

To be effective community “stewards,” citizens need to be well informed about government services and functions, and they need a variety of community organizing and leadership skills. They also need flexibility in their work schedules to attend meetings and hearings. Civic organizations need convenient physical space for meetings and other activities, and they need money and other resources to carry out community development projects.

County government has worked to address these needs. The county has co-sponsored six annual community conservation conferences with the Community Conservation Action Group (CCAG), an informal association of community associations and umbrella organizations from across the county. The conferences serve as forums for communicating technical information, supporting leadership development, and sharing ideas about strengthening communities.

Resources available for promoting community stewardship and community improvement projects are varied. The county government has established an annual competitive grant to community associations for physical improvements. The Harry and Jeannette Weinberg Foundation has provided matching funds. Some of the larger employers in the Baltimore region



County-sponsored community conservation conferences serve as forums about strengthening communities.

have established policies that support and encourage civic involvement, such as flex time, time off, awards recognizing community achievement, and small grants for community improvement projects.



Actions

1. Promote community activities to build and strengthen relationships among neighbors, such as community picnics, market days, senior craft fairs, etc.
2. Sponsor local civic improvement activities, such as Community Conservation Grant projects, Pitch-in-for-Progress projects, Earth Day activities, stream clean-ups, community planting projects, or home improvement projects such as Christmas in April, that allow residents to participate physically in improving their communities, and building a personal stake in its future stability.
3. Encourage community associations to use their newsletters, community meetings, and other activities to promote community stewardship concepts as they pertain to strengthening their particular neighborhood.
4. Provide for flexibility in the design and use of public buildings so that every community has convenient gathering spaces that can be used for meetings, community services, and social activities.
5. Encourage employers to accommodate and support the civic activities of their employees.
6. Continue to hold the annual community conservation conference and to support the CCAG.

COMMERCIAL COMMUNITY CONSERVATION AREAS

INTRODUCTION

Baltimore County has two basic forms of commercial development throughout its community conservation areas: Commercial Revitalization Districts, which are the older traditional commercial areas, and commercial corridors, which include strip commercial development and shopping centers. Each form of commercial development presents unique challenges and opportunities.

COMMERCIAL REVITALIZATION DISTRICTS

Traditional commercial areas play an important role in Baltimore County's overall vitality and prosperity. The county's twelve traditional commercial areas are located within the Urban Rural Demarcation Line (URDL).



Streetscape improvements were recently made in the Catonsville Commercial Revitalization District.



Established during the late 1800s and early 1900s, they originally functioned as villages and centers of commerce at the terminus of transportation links with the City of Baltimore. During the suburban growth that occurred after World War II, the land around and between the commercial areas filled in with residential development.

For an extended period, the commercial areas generally served the retail needs of the surrounding communities. However, as suburban expansion has continued and the retail industry and consumer shopping habits have changed, the strength of the commercial areas has been challenged. In response, the Baltimore County Council designated the county's twelve traditional commercial areas as Commercial Revitalization Districts (CRDs) (Resolutions 114-97 and 83-98) (Map 23). The CRDs operate within a geographically defined area and are targeted with specific county-sponsored programs to enhance their development potential. A formal business and professional association represents each CRD's commercial interests. These associations are members of the Commercial Revitalization Action Group (CRAG), which serves as an advocate and catalyst for improvements within the CRDs, and works in partnership with local businesses, business associations, and government agencies to improve the districts.

Baltimore County's twelve CRDs are presented below grouped by village center, neighborhood center, community center, and corridor. These groupings include their structure, the type of market served, and the representative business and professional association.

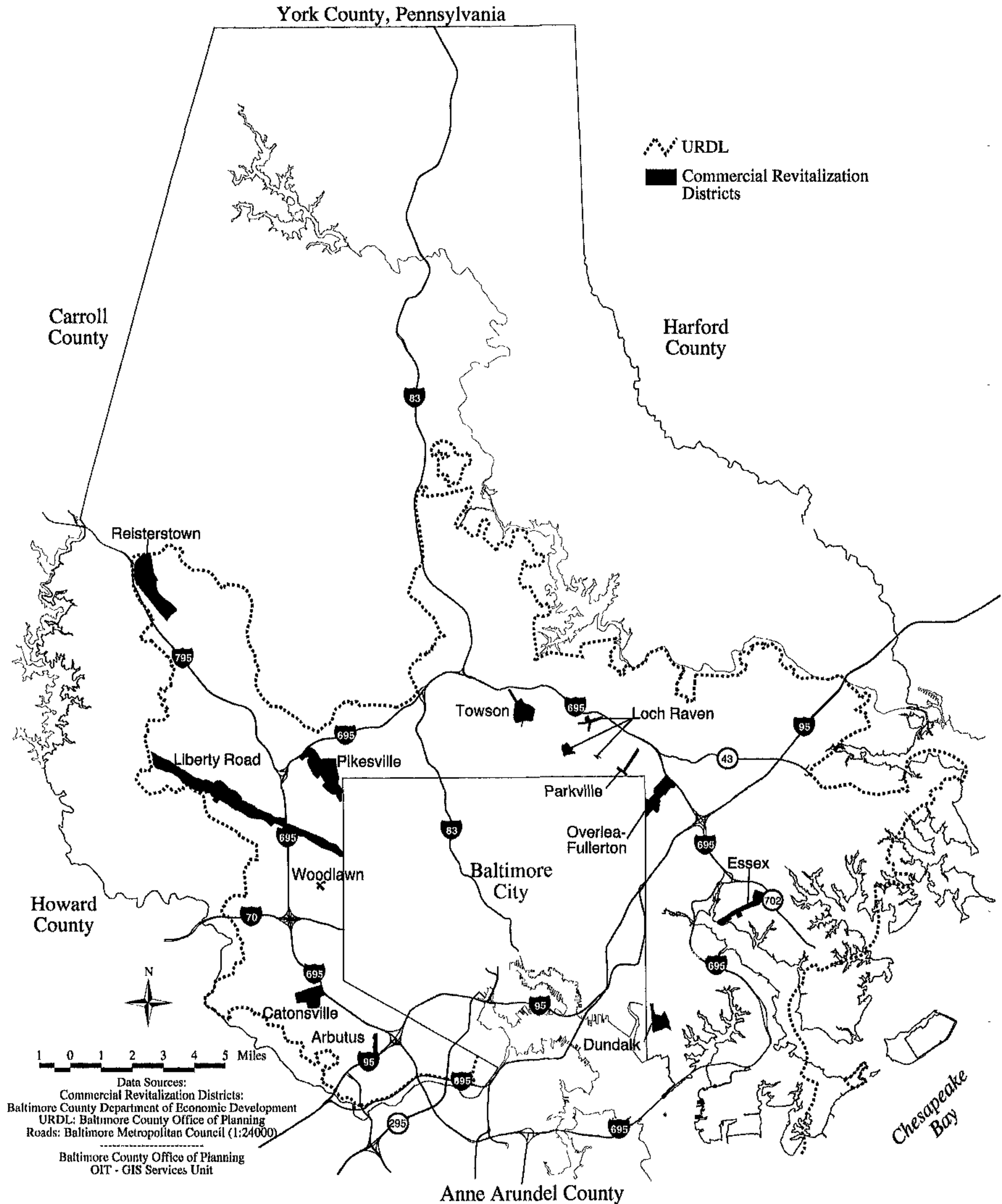
**COMMERCIAL
REVITALIZATION
DISTRICTS ARE
TARGETED WITH
SPECIFIC COUNTY-
SPONSORED
PROGRAMS TO
ENHANCE THEIR
DEVELOPMENT
POTENTIAL.**

Village Center

- Small in size (10-50 businesses)
- Fairly compact
- Solely retail in function
- Services a small area, one-mile radius
 - Arbutus – Arbutus Business and Professional Association,
 - Woodlawn – Woodlawn Village Business and Professional Association

Neighborhood Center

- Moderate in size (50-150 businesses)
- Identifiable core with strip adjacent
- Several functions, including retail and professional
- Services a larger area, two-mile radius



MAP 23
COMMERCIAL REVITALIZATION DISTRICTS



- Dundalk – Eastern Baltimore Area Chamber of Commerce
- Parkville – Parkville Business and Professional Association
- Overlea – Overlea-Fullerton Development Corporation
- Reisterstown – Reisterstown, Owings Mills, Glyndon Chamber of Commerce

Community Center

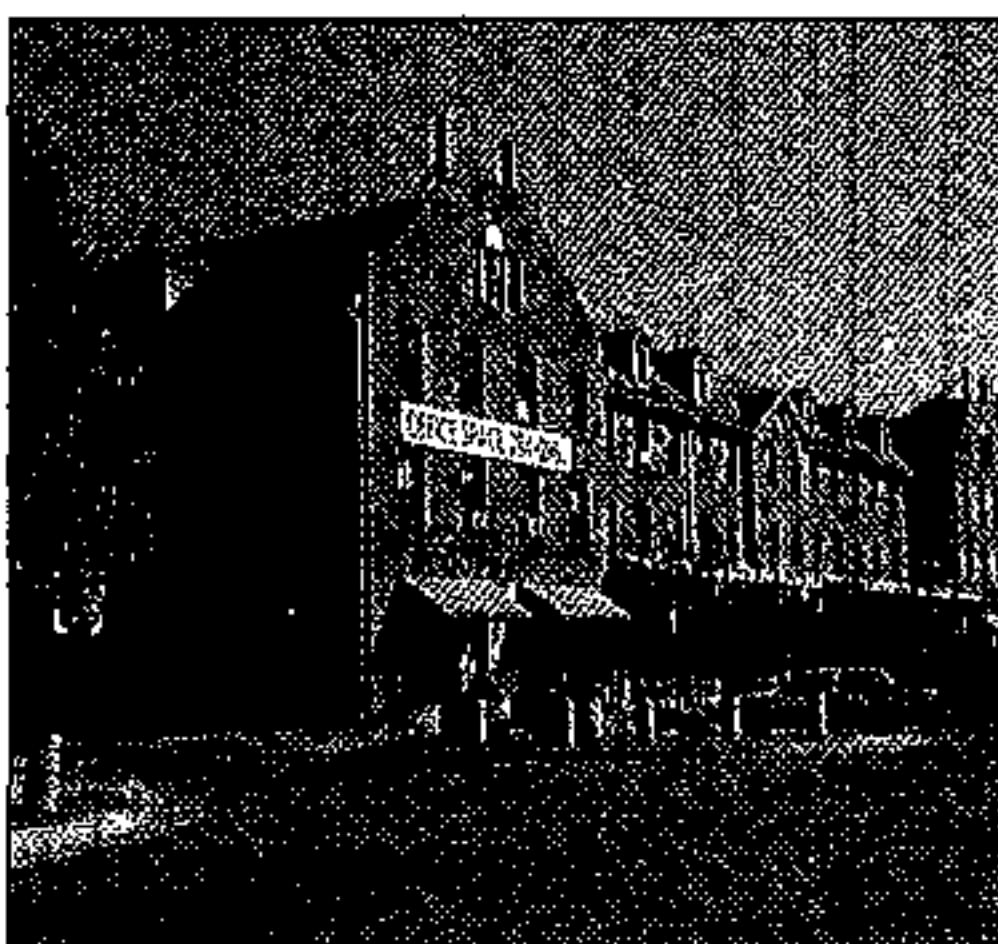
- Medium in size (150-200 businesses)
- Identified core with auto-oriented strip adjacent
- Multiple functions, retail, professional, office, commercial, and housing
- Services large area, three-mile radius
 - Pikesville – Pikesville Chamber of Commerce
 - Catonsville – Greater Catonsville Chamber of Commerce

Vehicular Oriented Corridor

- Varies in size (100-2,000 businesses)
- No core, elongated, with shopping centers
- Slightly more recent development than others
- Services local communities, commuters, and draws from the region
 - Liberty Road – Liberty Road Business Association
 - Loch Raven – Loch Raven Business Association
 - Essex – Essex Revitalization Community Development Corporation

Regional Commercial Center

- Large in size (more than 300 businesses)
- Identifiable core, pedestrian oriented
- Multiple functions, retail, professional, commercial, office, government, housing
- Services significant portion of region
 - Towson – Towson Business Association



The Dundalk commercial area is an example of a neighborhood center, and is also a distinguished historic structure.

POLICIES

- Assist existing businesses with current and future needs.
- Institute strategies to strengthen the overall well being of the CRDs.
- Promote regulatory mechanisms that improve the CRDs.
- Attract new investment and compatible development.
- Continue existing relationships, resources, and mechanisms to stimulate quality development, and investigate establishing others.

- Enhance the physical capacity of the CRDs through capital improvements, streetscape enhancements, and infrastructure upgrades.



ISSUES AND ACTIONS

While the Commercial Revitalization Districts are primarily occupied by relatively small, independent merchants, collectively they provide a substantial and functional resource. However, the maintenance of this resource is complex, necessitating a coordinated approach involving private and public interests.

Issue: Maintaining the Viability of Revitalization Districts

The county's CRDs have distinctive characteristics that can be promoted and made more attractive to customers, merchants, and developers. The CRDs and the affiliated neighborhoods each possess unique qualities – the types of stores, architectural features, existing infrastructure, convenience, proximity of dense populations, and history can serve as a marketing tool and yield economic advantage over newer, redundant, and underdeveloped locations. The CRDs were originally focused in either a village center configuration, with a pedestrian-oriented, human-scale shopping environment, or a corridor strip form, more associated with automobiles. CRDs should be sought-after places to shop, eat, and relax. Ideally, CRD redevelopment should provide a complementary mix of uses such as office, residential, services, entertainment, and cultural facilities.

Restaurants, cafés, and other eating establishments are important fixtures within the CRDs. These enterprises provide a needed service, help define the CRD in which they are located, attract patrons who often conduct other business in the area, extend the evening hours that the CRD is utilized, have high employment levels, and are often locally owned and operated. Food and beverage oriented establishments require a liquor license to serve alcohol. However, the limited availability of liquor licenses contributes to their excessive cost and inhibits the growth of this economic sector.

*THE DISTINCTIVE
CHARACTER OF
EACH OF
THE COUNTY'S
COMMERCIAL
REVITALIZATION
DISTRICTS SHOULD
BE PROMOTED.*

Actions

1. Prioritize CRDs based on market conditions, age of infrastructure, and need. Develop timeframes that enable the county, state, and private entities to allocate resources appropriately.
2. For each CRD, develop or update a plan based on the needs of the area. Program elements to be addressed may include:



- Streetscaping — lighting, landscaping, and street furniture with continuing maintenance.
 - Consolidation and removal of redundant or unnecessary publicly owned signs.
 - Market research to determine the potential for new uses. Encourage the provision of a full range of goods and services, with a concentrated, continuous area to support pedestrian-oriented shopping.
 - Identification of parcels that may be considered for consolidation while encouraging sensitivity to the existing economic, residential, and physical fabric of the CRD and its surrounding community.
 - Strategies for parking management, including locations for shared lots and methods to reduce parking on residential streets by non-residents.
 - Identification of buildings, sites, and areas that should be listed and promoted as historic landmarks or districts. Such identification should preserve historically significant sites but still allow for positive development.
3. Consider reducing the requirement for on-site parking within CRDs only where other options such as reciprocal parking agreements have been exhausted.
- Continue to provide self-supporting county-owned parking facilities.
 - Implement on-street parking management programs in residential neighborhoods to reduce parking by employees and customers, and establish clear guidelines for the use of residentially zoned land for business parking.
 - Develop mechanisms to encourage privately-owned, shared parking.
 - Promote the use of non-prime locations for merchant and employee parking as a method of reducing parking congestion in valued spaces.
 - Indent sidewalks to allow for additional on street parking in areas with exceptionally wide sidewalks.
4. Explore changes to state law to allow for a sufficient number of liquor licenses, for specific purposes and in designated areas within CRDs.



Streetscaping programs which include lighting, landscaping, and street furniture are among the ways to improve the quality of older commercial areas.

Issue: Promoting Business Retention, Expansion, and Attraction

The evolving definition of a successful CRD requires coordinated input from all interested parties, public and private. In any given area there are often a large number of property owners who each control small individual lots. The availability of space for the expansion of existing businesses and



the size requirements of a contemporary retail facility (over one acre) often inhibit redevelopment, putting older areas at a competitive disadvantage. To respond to development needs, it is often necessary to consolidate multiple parcels under separate ownership, which is usually time consuming, frequently leads to speculation by property owners, and may not be accomplished due to hold-outs. Additional issues that arise in CRDs include adjusting differing zoning designations and addressing physical elements such as demolition, environmental concerns, and upgrading utilities.

Actions

1. Utilize CRAG as a resource to maximize the effective application of resources that promote business and economic development within the CRDs, to:
 - promote the coordinated development of the CRDs;
 - assist individual CRDs in working with the county through the Commercial District Management Authority (CDMA) to protect and maintain the county's valuable streetscape investments; and
 - promote the county's Commercial Revitalization Program and affiliated technical and financial assistance resources.
2. Use county programs, such as the Commercial Revitalization Program, and legislation, such as zoning regulations, to address current and future issues within the CRDs. Promote the CRDs as attractive places in which to do business by:
 - Creating marketing packages for each CRD highlighting major available properties, amenities, demographics, and available county assistance;
 - Implementing a program to attract appropriate new investment to each CRD; and
 - Promoting the county's Small Business Loan Fund as a source of capital that is sensitive to the needs of small businesses and aspiring entrepreneurs in CRDs.
3. In cooperation with CRAG and its constituent members, support new development and the expansion of existing businesses by identifying parcels with consolidation potential, and review associated regulatory and impact concerns.
4. Investigate methods to address problem absentee landlords.
5. Encourage the maintenance and improvement of properties through the streetscape program, Commercial Revitalization Incentive Programs (Architect on Call, Business Improvement Loan Program, and the

*THE COUNTY
WILL STRENGTHEN
ITS COMMERCIAL
REVITALIZATION
PROGRAM,
PROMOTING THE
CRDs AS
ATTRACTIVE PLACES
IN WHICH TO DO
BUSINESS.*



Commercial Revitalization Tax Credit), and the enforcement of zoning regulations, building code, and other regulatory mechanisms.

6. Develop mechanisms to ensure that development standards are consistently followed, such as through agreements, overlay districts, and special review processes.
7. Explore the use of historic designations, loans, grants, and other special incentives to encourage reinvestment in older neighborhoods.

COMMERCIAL CORRIDORS

Commercial corridors are long strips of commercial land uses adjoining the county's major arterial highways, extending from Baltimore City to the URDL. The county's commercial corridors serve two vital functions: 1) as highways that carry through traffic; and 2) as access for neighboring residential areas to a wide range of shopping, dining, and other personal service opportunities.

Commercial corridors include low-density strip commercial development, accessible almost exclusively by automobile, and shopping centers, typically anchored by a large grocery store. The commercial corridors are the "faces" of the adjacent communities. The commercial corridors' appearance and liveliness influences perceptions about the adjoining neighborhoods. Well-designed and well-maintained commercial areas bring vitality to communities. Declining commercial areas and vacant storefronts hurt the image of adjacent communities and lower the quality of life for residents. The aesthetic appearance of commercial areas is as critical an issue as their economic viability.

Shopping habits are changing in terms of where and how people shop. Many purchases formerly made at department stores or discount variety stores are now being made at deep discount warehouse stores. Local market analysts agree that the deep-discount market is not built-out in Baltimore County, especially in the central corridor; several more of these types of projects are expected. There will also continue to be development of shopping centers anchored by grocery stores.

Continuing growth in mail order, television, and Internet shopping sales shows that the market remains convenience driven. Consumers want to spend less time getting to and from shopping places. They want to be able to get in and out of a shopping center quickly and park conveniently. Major drug store chains are responding to this demand with freestanding stores and

*THE COMMERCIAL
CORRIDORS'
APPEARANCE
AND LIVELINESS
INFLUENCE
PERCEPTIONS ABOUT
THE ADJOINING
NEIGHBORHOODS.*

drive-through services. New development and redevelopment along commercial corridors will be motivated to provide convenient parking and access. The older properties of the established commercial corridors are frequently constrained by their size and shape from providing convenient parking and access.



Baltimore County commercial areas also include large, regional shopping nodes such as malls, and smaller, discrete shopping areas that are frequently located within neighborhoods. Community shopping centers that are not anchored by a grocery store are particularly vulnerable to changes in retailing. These centers find it difficult to compete with the amenities and variety offered by larger regional shopping centers, the low prices of deep-discount warehouses, and the convenience of centers anchored by a supermarket. Successful community shopping centers that reposition their tenant mix to serve the surrounding community, and are redesigned to become a focal point of the community tend to be successful as measured by low vacancy rates, high rents, and high sales. Community shopping centers that do not pursue this strategy are more likely to fail, leading to a cycle of disinvestment, higher vacancy rates and abandonment.

POLICIES

- Reduce potential land use conflicts between commercial corridors and nearby residential areas.
- Implement strategies to address common traffic and parking issues in business areas.
- Promote safe pedestrian access to shopping areas from neighborhoods and between shopping areas.
- Provide or enhance a sense of identity and place by improving the appearance of commercial corridors.

ISSUES AND ACTIONS

To maintain the continued viability of the county's commercial corridors, efforts must continue to direct the most intensive commercial development to major nodes, and to make shopping along commercial corridors more inviting and convenient.

Issue: Improving Land Use Criteria

The use listings of the *Baltimore County Zoning Regulations* are complicated and special hearings are often required to determine whether



Redevelopment of shopping centers that tailor their tenant mix to serve the surrounding community tends to be successful.

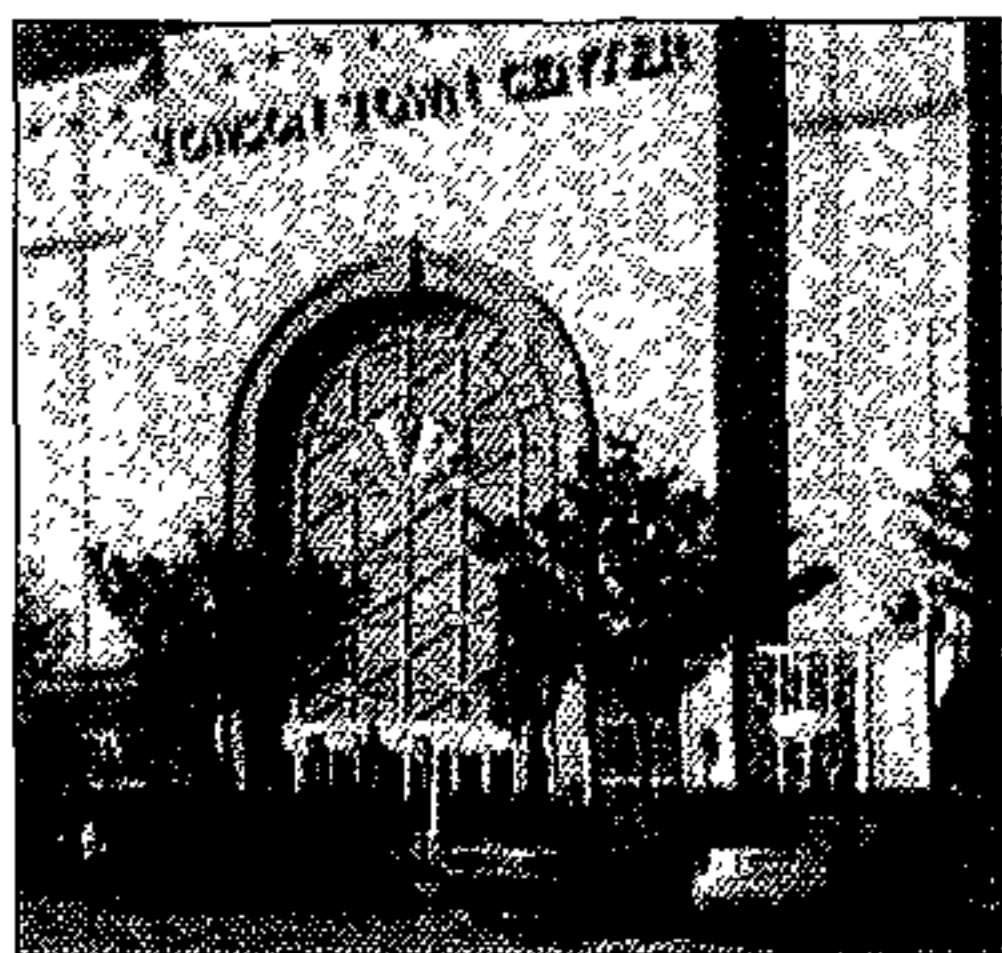


a use is permitted. The result is that there is little certainty for both the property owner and the neighborhood as to how property will be developed and used.

Additionally, the zoning regulations permit very large retail and entertainment uses in the BM (business, major), BR (business, roadside), and BL (business, local) zones. These uses can have intensive traffic impacts on major roads, visual impacts on surrounding areas, and economic impacts on local commercial uses.

Actions

1. Provide a statement of intent, and regulations to implement the intent, for each zone:
 - The BM zone should be geared for large, regional retail and entertainment destinations.
 - The BR zone should be revised so that it is only appropriate for strip commercial use and contains appropriate use, area, and buffer requirements.
 - A zone suitable for the special constraints and needs of revitalization districts should be developed.
 - Reduce the Floor Area Ratios (FARs) in the BL, BM, and BR zones to be compatible with adjacent residential areas. High FARs should only be permitted within approved growth areas or the Towson Urban Center.
2. Promote redevelopment of existing large enclosed shopping malls for regional shopping destinations. Consider viable reuse of shopping centers that may no longer be needed due to market changes or consolidation. In both instances, consider mixed use opportunities.
3. Regional retail and entertainment shopping nodes along commercial corridors may be appropriate at locations that are within or adjacent to business zoned property, and at intersections served by major arterials with direct access to an interstate highway. Additional requirements for these regional nodes along commercial corridors should include:
 - a PUD-C for the development of regional retail when the site abuts a BM zone. The retail development should continue to be oriented to the commercial corridor and not provide access to roads which are not commercial corridors;
 - road improvements such as left turn lanes and service roads to minimize traffic impacts;



The county will continue to promote the redevelopment of enclosed shopping malls as regional shopping destinations, such as Towson Town Center.



- utilities to be placed underground where new development occurs; and
 - additional limitations as recommended by a community plan.
4. Prepare comprehensive recommendations regarding zoning reclassifications along each of the commercial corridors prior to the CZMP, or as part of an adopted community plan.
 5. Promote property between shopping areas for uses that will complement and increase the viability of the shopping areas, while conserving the adjacent communities.
 - Modify the zoning to encourage housing for the elderly, assisted living facilities, and nursing homes along commercial corridors.
 - Encourage employment-intensive uses and reclassify undeveloped properties along the commercial corridors to foster development for employment-intensive uses.
 - A number of non-residential uses are permitted by special exception in residential zones. These include funeral homes, veterinarians' offices, bed and breakfasts, tourist homes, music conservatories, and professional offices. These uses are more appropriately located along arterial roadways rather than local streets. Modify the zoning regulations to remove these uses from the residential zones, but permit these uses on parcels between shopping areas along commercial corridors.
 6. Create tools that enable commercial corridors to develop a distinctive character and mix of complementary uses.

Issue: Use of Manufacturing-Zoned Land for Retail Use

Pressure to use ML (manufacturing, light) zoned land for retail uses is increasing as the county's existing commercial corridors become more congested. ML-zoned sites are attractive because they are accessible, provide ample parking opportunities, and are less costly than sites with business zoning. Permitting ML-zoned land to be developed for retail uses means that fewer sites are available for corporate headquarters, manufacturing, and other employment-intensive uses. Allowing land along such roads as Beaver Dam Road, Owings Mills Boulevard, and Red Run Boulevard to be used for retail purposes would inhibit their ability to function as roads designed to carry through traffic. Using ML-zoned land for new retail development can also undermine the viability of existing retail centers and revitalization areas.

PRESSURE TO USE MANUFACTURING-ZONED LAND FOR RETAIL USES IS INCREASING AS THE COUNTY'S EXISTING COMMERCIAL CORRIDORS BECOME MORE CONGESTED.



Actions

1. Revise the manufacturing zones to limit auxiliary retail and personal service uses.
2. Delineate corridors for commercial and industrial use in the Baltimore County Functional Classification Map to establish and maintain appropriate zoning and land use.
3. Preserve the existing inventory of land with ML zoning during rezoning processes.

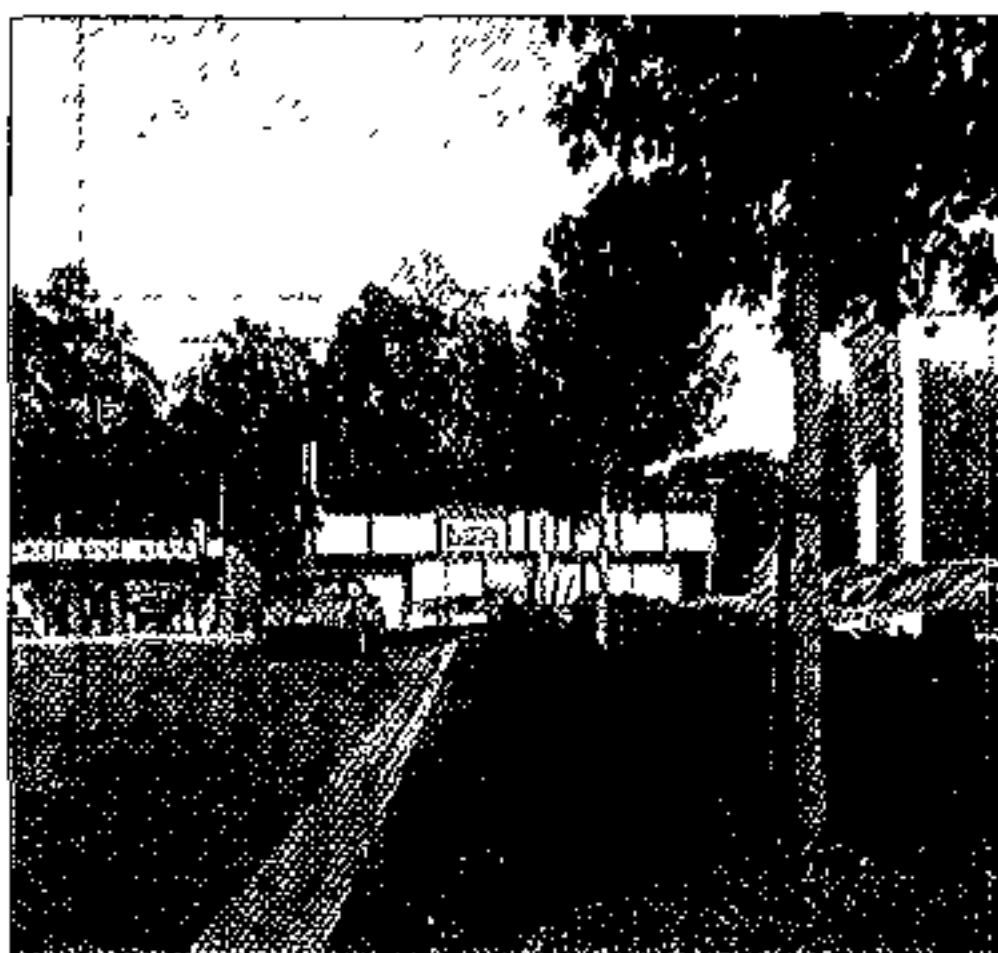
Issue: Traffic and Convenience

As noted earlier, development along commercial corridors exists as narrow bands of commercial zoning adjacent to residentially-zoned land. In many places, the depth of commercial properties along the corridor is inadequate to accommodate appropriate buffers between the commercial and residential areas, and rear loading access and parking are often constrained.

The commercial corridor transportation routes are mostly state highways. While the county regulates land use along the corridors, the state regulates access to the adjoining properties through the approval of curb cuts for driveway entrances. Multiple driveways for single parcels have frequently been approved, resulting in greater traffic congestion. Congestion makes shopping along commercial corridors less convenient and encourages consumers to bypass the corridor to shop elsewhere.

Pedestrian access from adjacent neighborhoods, between shopping areas, and from transit stops is poor. Sidewalks are often discontinuous. The county has been inconsistent in requiring property owners in commercial areas to provide sidewalks. The result is that walking between many shopping areas is unsafe or impossible.

The commercial revitalization districts typically have better pedestrian access than the commercial corridors because they were originally designed for pedestrians. Providing convenient vehicle access and parking, while maintaining the ambiance and character of the area, is the major challenge in these areas. The success of such shopping centers as “The Avenue” in White Marsh indicates that there is a market for the traditional pedestrian-oriented shopping areas provided in the county’s commercial revitalization districts.



A lack of sidewalks in and leading to commercial areas makes pedestrian access difficult.



Actions

1. As part of community plan efforts, create a “driveway curb cut” task force, including the county, state, property owners, community residents, and business owners. Shared access will promote convenient shopping by reducing traffic congestion. More on-site parking will be made available for commercial uses, which will reduce spillover onto residential streets.
 - Identify where new curb cuts should be avoided and where existing curb cuts could be consolidated.
 - Develop incentives to encourage shared use of driveways.
 - Modify zoning regulations that impede the shared use of driveways.
 - Reduce off-street parking requirements for uses that share parking.
 - Create a model agreement for private property owners regarding use of parking spaces, paving, maintenance costs and related issues.
2. Promote the consolidation of small parcels.
 - Sponsor market research to determine the feasibility of the redevelopment and consolidation of small parcels along commercial corridors.
 - Develop a financial model to allow individual parcel owners to consolidate their parcels, while retaining a proportionate share of future profits from a redeveloped, consolidated site.
 - Consider the creation of a private or quasi-public redevelopment mechanism with the power to acquire and redevelop property in accordance with the stated policy.
3. Reduce on-street parking by employees and customers in residential neighborhoods through on-street parking management programs.
4. Encourage transit-oriented design.
5. To promote pedestrian access from neighborhoods and between shopping areas, provide continuous sidewalks along the length of both sides of commercial corridors, as well as crosswalks; medians at signalized intersections for pedestrian safety; and pedestrian controls at traffic signals.

***CURB CUTS SHOULD
BE CONSOLIDATED TO
REDUCE TRAFFIC
CONGESTION ON
COMMERCIAL
CORRIDORS.***

Issue: Improving Design Quality and Creating Identity

Unplanned commercial corridors can create a sense of being “nowhere.” Their endless jumble of nondescript buildings, parking lots, signs, and overhead utility lines leads to street clutter, lack of identity, an unwelcoming atmosphere for shoppers, and disassociation with community.



Improving visual appearance, establishing identity through design elements, and eliminating clutter will help to ensure the continued viability of the county's commercial corridors. The county has adopted regulations promoting these objectives. However, regulations alone will not lead to dramatic improvement. The majority of commercial development qualifies for limited exemptions to the development regulations. While a project that receives a limited exemption is subject to the same standards as other projects, qualitative standards are difficult to achieve, because the project does not receive the same scrutiny or level of public review. The county's landscaping requirements have been in effect since the 1980s; however, they do not apply to existing development that predates the standards' enactment.

Action

Coordinate and develop programs to improve the appearance of commercial areas and provide a sense of identity and place, including:

- "Streetscaping" – improve lighting, landscaping, and street furniture.
- Explicitly permit decorative street banners to promote identification.
- Consolidate and remove redundant or unnecessary publicly-owned signs.
- Inspect landscaping and ensure that it is maintained.
- Develop public-private partnerships to ensure adequate maintenance and quality appearance of commercial areas.
- Ensure the provision of adequate buffers between commercial and residential areas.



The county's employment centers are existing concentrations of industrial and office development.

EMPLOYMENT CENTERS

INTRODUCTION

The county's employment centers are land management areas that designate existing concentrations of industrial and commercial development, apart from those in the two growth areas (Map 5). These areas include:

Southwest

UMBC Technology Center and UMBC Research Park

Woodlawn-Security

Southwest Industrial Corridor

Central

Hunt Valley/Timonium

Loveton Business Center

Towson/Loch Raven Employment Areas



Southeast

Philadelphia-Pulaski

White Marsh

North Point

Middle River

The employment centers are areas of diverse economic activity, including traditional heavy manufacturing companies, high technology research parks, corporate headquarters, offices, and warehouse/distribution centers. Employers in these areas provide the majority of job opportunities offering family-supporting wages for the county's residents, as well as important contributions to the county's tax revenues.

Most of the employment areas adjoin established residential communities. Because the continued desirability of these communities as places to live is a key factor in Baltimore County's ability to attract new residents and employers, it is imperative that the development and redevelopment of county employment centers contribute to the stability of surrounding communities.

The Department of Economic Development has developed area-specific economic development strategies for three major sections of the county: The *Eastern Baltimore County Revitalization Strategy*, adopted by the County Council in July 1996; the *Southwestern Baltimore County Revitalization Strategy*, adopted by the County Council in December 1997; and a master plan for the Hunt Valley/Timonium area, adopted by the County Council in October 1998. Developing these plans provided an opportunity for the Department of Economic Development to work with other county agencies, the private sector, and community organizations to address broader community issues that affect, and are affected by, business. These plans are incorporated as elements of *Master Plan 2010*.

**IT IS IMPERATIVE THAT
THE DEVELOPMENT
AND REDEVELOPMENT
OF COUNTY
EMPLOYMENT CENTERS
CONTRIBUTE TO THE
STABILITY OF
SURROUNDING
COMMUNITIES.**

POLICIES

- Direct land planning efforts to support appropriate development within employment centers, recognizing that a strong economic and industrial



base is needed to provide revenue, job opportunities, and sustainable communities.

- Work to ensure that the development and redevelopment of the county's employment centers contributes to the stability of surrounding communities.

ISSUES AND ACTIONS

Many of the issues affecting the employment centers are discussed in detail in the economic development, growth areas, and Towson Urban Area sections. In addition to the business development and retention measures, directing land development in employment centers will involve careful attention to zoning, including preserving industrially zoned land for future growth in employment; limiting auxiliary retail development within employment centers; maximizing the use of the transportation infrastructure to facilitate the movement of goods and employees; and protecting adjoining residential areas from negative impacts that may be generated by an employment area, such as noise or traffic congestion. Given these cross-cutting issues, the following specific actions are recommended for each employment center.

EMPLOYMENT CENTER ACTIONS

SOUTHWEST

Woodlawn-Security Employment Center

1. Use the PUD-C tool to allow selective, warehouse or outlet-type retail redevelopment on properties meeting specific criteria.
2. Support the new Security/Woodlawn Business Association's efforts to strengthen the area as a business location.
3. Target Windsor Corporate Park and Southwest Industrial Area as potential locations for manufacturing spin-offs from the UMBC Research Park and UMBC Technology Center.

Institutional Center

1. Support the successful development of the UMBC Research Park and UMBC Technology Center.
2. Support the diversification of Spring Grove Hospital into clinical and biomedical research and development that complements the core mission of the Hospital and reinforces the economic viability and local employment opportunities of the Center.
3. Continue the county's efforts to foster technology-based research and business in the Southwest.

*THE COUNTY
WILL WORK TO
ENSURE THAT THE
DEVELOPMENT AND
REDEVELOPMENT OF
THE COUNTY'S
EMPLOYMENT
CENTERS CONTRIBUTE
TO THE STABILITY OF
SURROUNDING
COMMUNITIES.*

4. Through institutional master plans, regional organizations and marketing efforts, establish the identity of the Institutional Center as a center for economic development, education, culture, and human services.
5. Pursue targeted infrastructure improvements necessary to realize the Southwest area's potential.
6. Target Windsor Corporate Park as a potential location for manufacturing spin-offs from the UMBC Research Park and UMBC Technology Center.
7. Strengthen relationships between institutions and surrounding residential communities.



Southwest Industrial Corridor

1. Designate the Corridor as an Enterprise Zone.
2. Explore ways to use EPA Brownfields grant funds to return to active use commercial and industrial properties hampered by real or perceived contamination.
3. Work to overcome obstacles to reusing older buildings.
4. Encourage the redevelopment of key opportunity sites including G. Heileman Brewery, Eichelman Brothers and the Waste Management site.
5. Improve infrastructure in the vicinity of Pistoria Road/Knecht Avenue.

CENTRAL

Hunt Valley/Timonium

1. Implement Hunt Valley/Timonium Master Plan.
2. Apply new design guidelines contained in the county's Comprehensive Manual of Development Policies to help maintain status as a major corporate economic development area.

SOUTHEAST

North Point Employment Center

1. Continue to explore viable development options for Sparrows Point Industrial Park.
2. Designate the North Point Corridor Enterprise Zone as an Employment Center.
3. Inventory North Point Boulevard Corridor.
4. Improve the physical appearance of North Point Boulevard (\$1 million in state and county funds have been secured to carry out a physical improvement project between Wise Avenue and I-695 in Sparrows Point).



The county will continue to apply design guidelines to new development, such as those contained in the Hunt Valley/Timonium Master Plan.



Philadelphia-Pulaski Employment Center

1. Extend critical infrastructure.
2. Implement the Philadelphia Road Corridor overlay district.
3. Develop transportation services between employment centers and potential employees.
4. Promote the use of the PUD-C process.

White Marsh Employment Center

1. Update and reaffirm the industrial land use policies of the Perry Hall-White Marsh Plan.
2. Complete planned infrastructure improvements, including the extension of Campbell Boulevard from Philadelphia Road (MD 7) to Pulaski Highway (US 40).
3. Recommend the extension of White Marsh Boulevard (MD 43) to Eastern Avenue (MD 150).

Middle River Employment Center

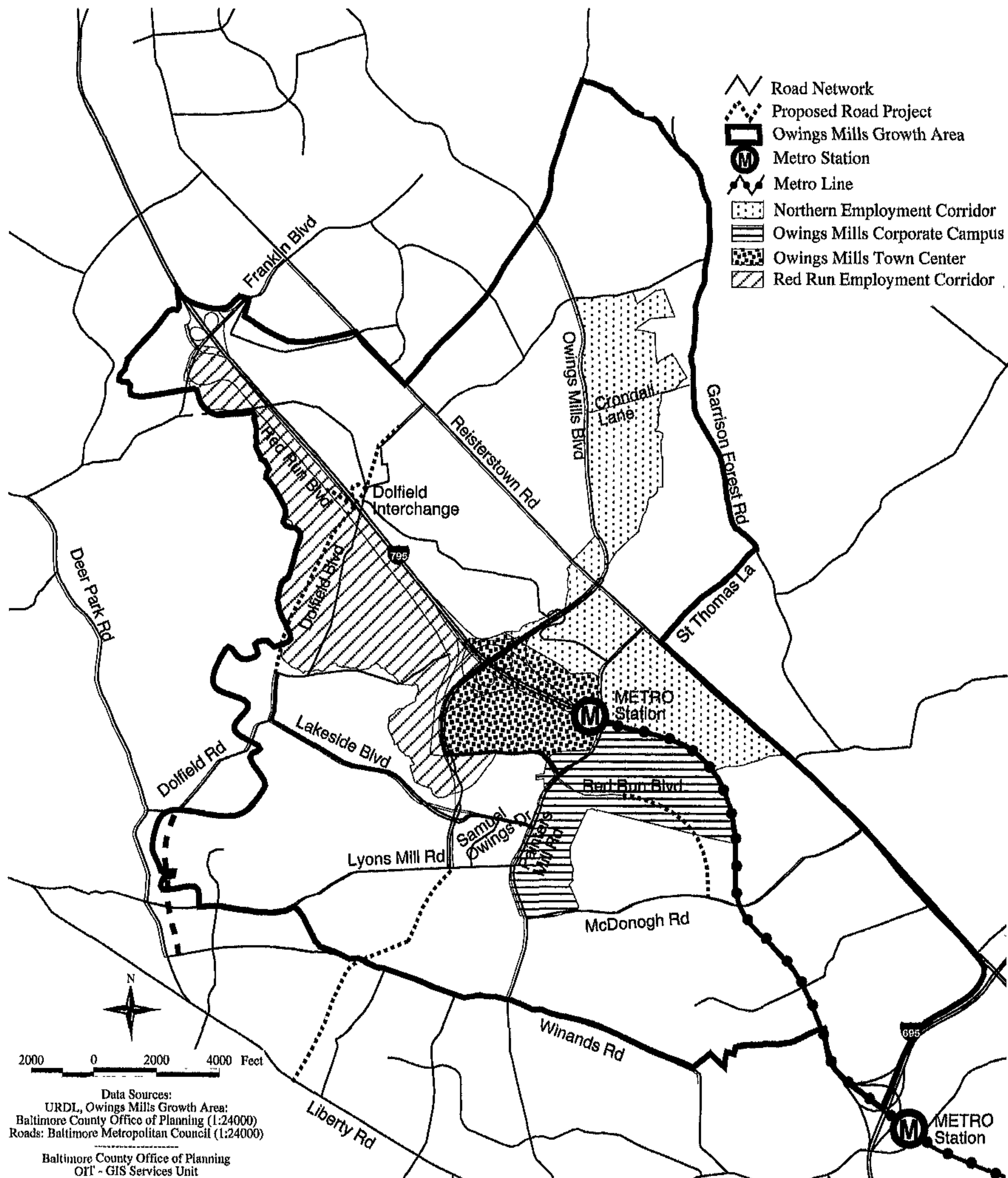
1. Extend White Marsh Boulevard (MD 43) to Eastern Avenue (MD 150).
2. Develop a mixed-use waterfront destination (see "Waterfront" section).

GROWTH AREAS

INTRODUCTION

CONCENTRATING DEVELOPMENT IN TWO GROWTH AREAS WAS A DIRECT RESPONSE TO LOW DENSITY SUBURBAN SPRAWL, WHICH IS INEFFICIENT AND COSTLY.

The growth areas, Owings Mills and Perry Hall-White Marsh, were conceived by the 1979 master plan as self-sustaining planned communities that would provide housing, employment, and a complete range of public and commercial services. Schools, parks, and a mix of housing types were to be clustered around a dense commercial core. Employment centers were designated within the growth areas and targeted for office and industrial development. Concentrating development in two growth areas was a direct response to low density suburban sprawl, which is inefficient and costly. Baltimore County and the state have invested large amounts of public money in the growth areas to make them premier locations for high quality, employment-intensive business and residential development. Private sector capital investment in the growth areas is, in turn, generating a significant share of the county's economic and employment growth (Map 22).



MAP 24
OWINGS MILLS GROWTH AREA



- Promote the growth areas as preferred locations for industrial and office development.
- Concentrate new non-auxiliary retail and service business in the established retail areas.
- Resist zoning changes and development that would reduce the limited inventory of land available for employment-intensive manufacturing and office uses.
- Provide public facilities and services in a timely manner to support planned growth.
- Create a diversified transportation system that includes effective transit and pedestrian connections.
- Maintain high-quality design, development, and landscaping.
- Foster a high-quality corporate image for the employment areas.
- Protect community conservation and sensitive environmental areas near the growth areas from the possible detrimental effects of increased urbanization.

OWINGS MILLS GROWTH AREA

The Owings Mills Growth Area is located in the northwestern part of Baltimore County (Map 24). It is approximately 13,000 acres in size. It was designated as a growth area because of its proximity to a planned regional transportation network. In 1984, the county adopted the *Plan for Owings Mills, Maryland*, and established zoning for the growth area during the comprehensive zoning map process.

SINCE THE COMPLETION OF INTERSTATE 795 AND THE METRO RAIL SYSTEM IN 1986, THE PACE OF DEVELOPMENT HAS BEEN BRISK.

The Owings Mills plan designated five separate land use areas within the growth area:

- Owings Mills Town Center, which includes Owings Mills Mall and the 37-acre Metro rail station
- Owings Mills Corporate Campus
- Northern Employment Corridor
- Red Run Employment Corridor
- Residential areas, including Owings Mills New Town

Since the completion of I-795 and the Metro rail system in 1986, the pace of development has been brisk. More than 5.6 million square feet of non-residential development consisting of retail, office, research and development, office-warehouse “flex,” and industrial space has been developed. Over 6,100 residential units have been constructed, consisting of a broad mix of

custom single family homes, townhomes, condominiums, and apartments. When the Owings Mills growth area is fully developed it will be home to a projected 44,000 residents and provide jobs for approximately 32,000 employees.



ISSUES AND ACTIONS

Issue: Promoting Economic Development

Economic development and the creation of new employment opportunities were critical components of the 1984 plan for Owings Mills. The business community that is developing is extremely diverse. Several companies have established new headquarters and regional operations centers in Owings Mills, taking advantage of the area's well educated, highly skilled work force. The Owings Mills Corporate Campus, which is almost fully developed, has attracted businesses seeking high quality office development in a campus-style environment.

The Red Run Employment Corridor will provide 700 acres for four million square feet of office, flex, and light industrial. This corridor has been designated as another premier corporate office area for high quality, campus-style, office/flex development. Like the corporate campus, it should project a positive corporate image in order to attract wealth-producing national and regional serving companies. To reinforce the plans for the Red Run Employment Corridor, the county has also designated it as a "PUD-C Growth Area Corporate Center." PUD-C (planned unit development commercial) is a zoning overlay designation that allows for mixed use development in accordance with specific requirements and guidelines, and with special approval based on a detailed plan. The corporate center designation calls for well-designed and landscaped pedestrian-oriented development. It also prohibits non-auxiliary commercial retail projects.

The Northern Employment Corridor consists of two areas, one south of Reisterstown Road, and the other east of Owings Mills Boulevard. The latter area is comprised, in part, of parcels determined to be surplus by the Rosewood State Center, a large medical institution. It has begun to develop with flex warehouses along Crondall Lane and should continue to develop as an employment-intensive area. The area south of Reisterstown Road consists of mixed zoning with both retail and industrial development. This area, too, should continue to emphasize employment-oriented development.



Several companies have established new headquarters and regional operations centers in Owings Mills, taking advantage of the area's well educated, highly skilled work force.



Actions

1. Ensure that the Red Run Employment Corridor is developed for corporate office and employment uses and that the Northern Employment Corridor is developed for flex/industrial use.
2. Maintain the PUD-C corporate center designation in the Red Run Employment Corridor and in a portion of the Northern Employment Corridor.
3. Continue to work with the Maryland Economic Development Corporation to develop a master plan for employment-intensive uses on surplus parcels at the Rosewood State Center.

Issue: Balancing Retail and Employment-Intensive Land Uses

The 1984 plan envisioned retail opportunities at the Owings Mills Mall, within the Owings Mills New Town PUD, and at the intersection of Lakeside Boulevard and Samuel Owings Drive. According to the plan, larger region-serving retail services would be provided along Reisterstown Road and Liberty Road. Nevertheless, there has been continuous pressure to convert employment designated areas into region-serving retail development, particularly in the Northern Employment Corridor. Because of the large parcels of utility-served land that will soon be available in the Red Run Employment Corridor, this area has become attractive to developers for regional retail development. Substantial retail development in these areas would not only deplete the supply of land for employment-intensive uses, but would also detract from the vitality of the nearby, established commercial corridors and planned commercial nodes.

THERE HAS BEEN CONTINUOUS PRESSURE TO CONVERT EMPLOYMENT DESIGNATED AREA SITES INTO REGION-SERVING RETAIL DEVELOPMENT.

Actions

1. Discourage additional retail development, including personal storage warehouses, in the Northern Employment Corridor, and particularly along Owings Mills Boulevard.
2. Direct any new development of large scale, off-price, "big-box" retail uses to Reisterstown Road or Liberty Road.
3. Limit retail development in the Red Run Employment Corridor to auxiliary retail that is scaled to serve customers who are employed in the corridor.

Issue: Developing the Owings Mills Town Center

The town center, which is also the terminus of the Metro rail line, should be developed as an intense mix of retail, service, office, and residential uses. Making use of structured parking, the Metro site can provide opportunities

for high density retail and employment development, public facilities, housing, and transit oriented uses. A study has been undertaken to determine possible uses. It should consider economic feasibility, design plans, and a public use component such as a center for higher education, and/or a library. Bicycle and pedestrian access to the town center should be facilitated.



Actions

1. Complete the study for the Metro site.
2. Promote a concentration of high-quality mixed use development at the mall site.
3. Increase the vitality of the town center by encouraging more diverse non-retail uses such as full service restaurants, entertainment, or recreational uses.
4. Study and implement feasible mechanisms to make the Owings Mills Town Center accessible to bicyclists and pedestrians.

Issue: Achieving a Balanced Mix of Housing

The mix of housing types has not been as balanced between single family and multi-family units as originally envisioned. A combination of housing market forces has resulted in a predominance of townhouses, condominiums, and apartments.

Actions

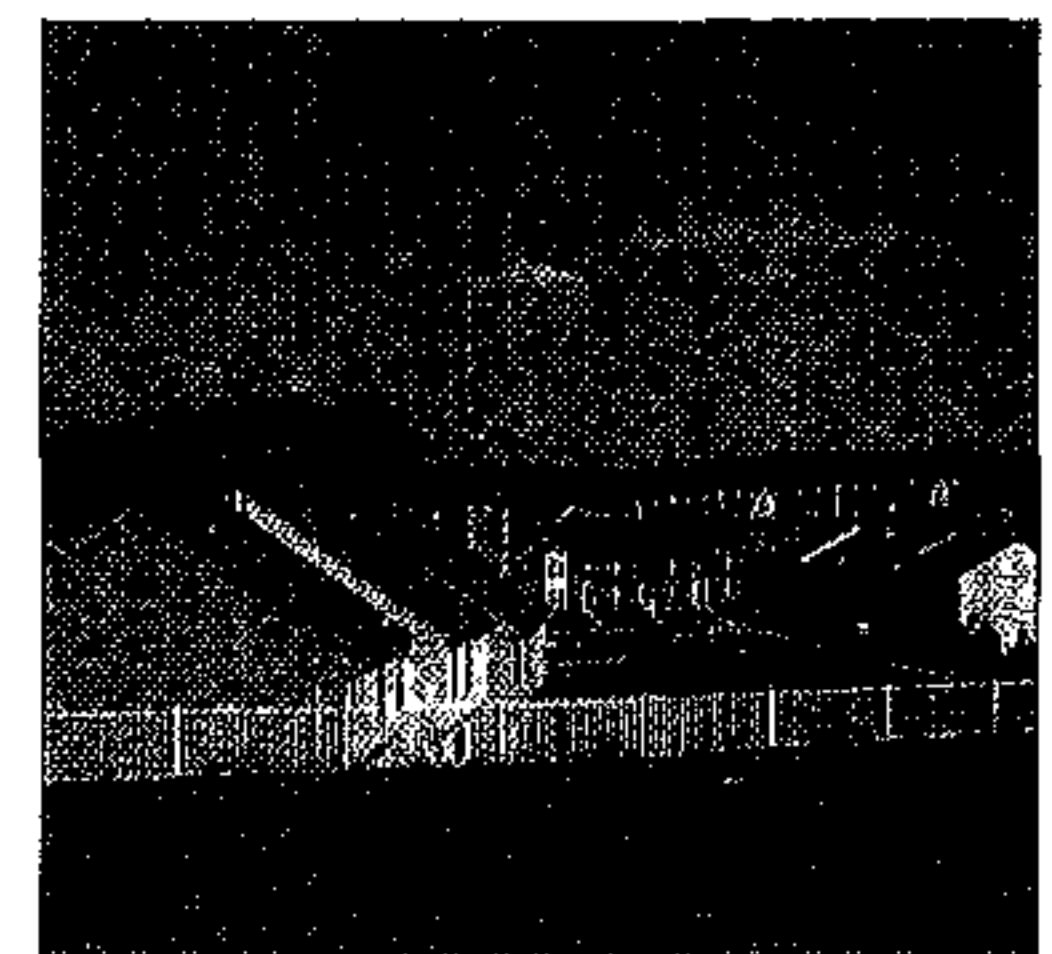
1. Promote a mix of housing that emphasizes single family detached homes.
2. Evaluate the development potential and density of vacant parcels zoned DR10.5, DR16, RAE, and OT to determine appropriate land use and modify zoning as needed.

Issue: Providing Appropriate and Adequate Utilities

The capacity of the Patapsco Waste Water Treatment Plant must be monitored as Owings Mills develops to ensure that the plant will be able to support future growth. Limited areas in Owings Mills will continue to rely on private wells and septic systems. The URDL should be adjusted to reflect existing and planned water and sewer service areas, zoning, and land management area designations.

Actions

1. Monitor the capacity and efficiency of the treatment plant and address any anticipated or actual deficiencies.
2. Evaluate and complete minor adjustments to the URDL.



A combination of housing market forces has resulted in a predominance of townhouses, condominiums, and apartments in Owings Mills.



Issue: Providing a Functional and Attractive Transportation Network

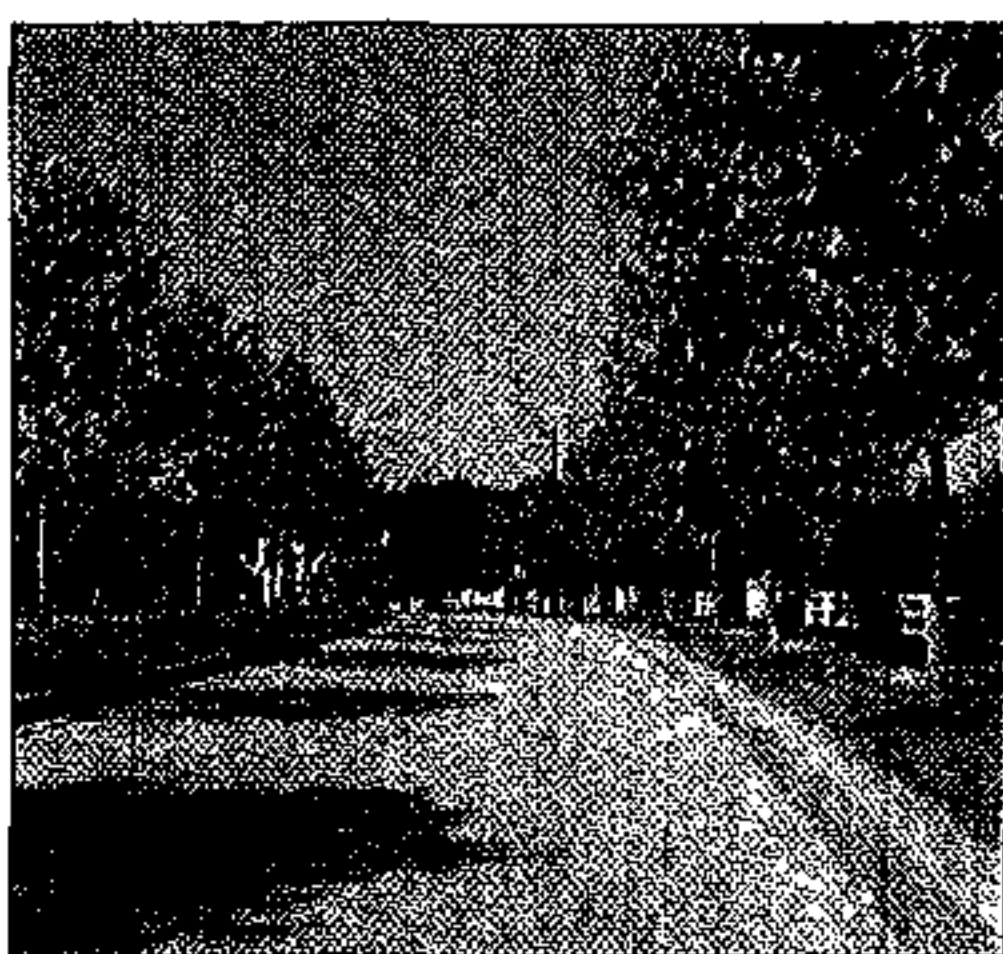
The Owings Mills transportation network has essentially remained unchanged since the 1984 plan. The overall network, although currently adequate to serve the area, needs to be reevaluated in light of several unanticipated conditions. First, the overall number of employees per square foot of building has increased because of the national trend towards smaller offices, which is partly related to computerization. The larger number of employees has resulted in more automobile trips using the Owings Mills network. Second, the rate of residential growth has accelerated in recent years, exceeding projections. The actual density of the residential areas is less than zoning allows; however, the rate of growth is greater than anticipated. Finally, with the advent of environmental regulations, obtaining road alignments and expanded rights-of-way has been difficult (Map 25).

As the roadway network is expanded, design aesthetics should be consistently applied in both private and public projects to assure high visual quality. The privately developed Owings Mills New Town provides a good example of landscaped medians and tree-lined rights-of-way with good pedestrian access. Similar design features should be considered for the remainder of the Owings Mills roadway network.

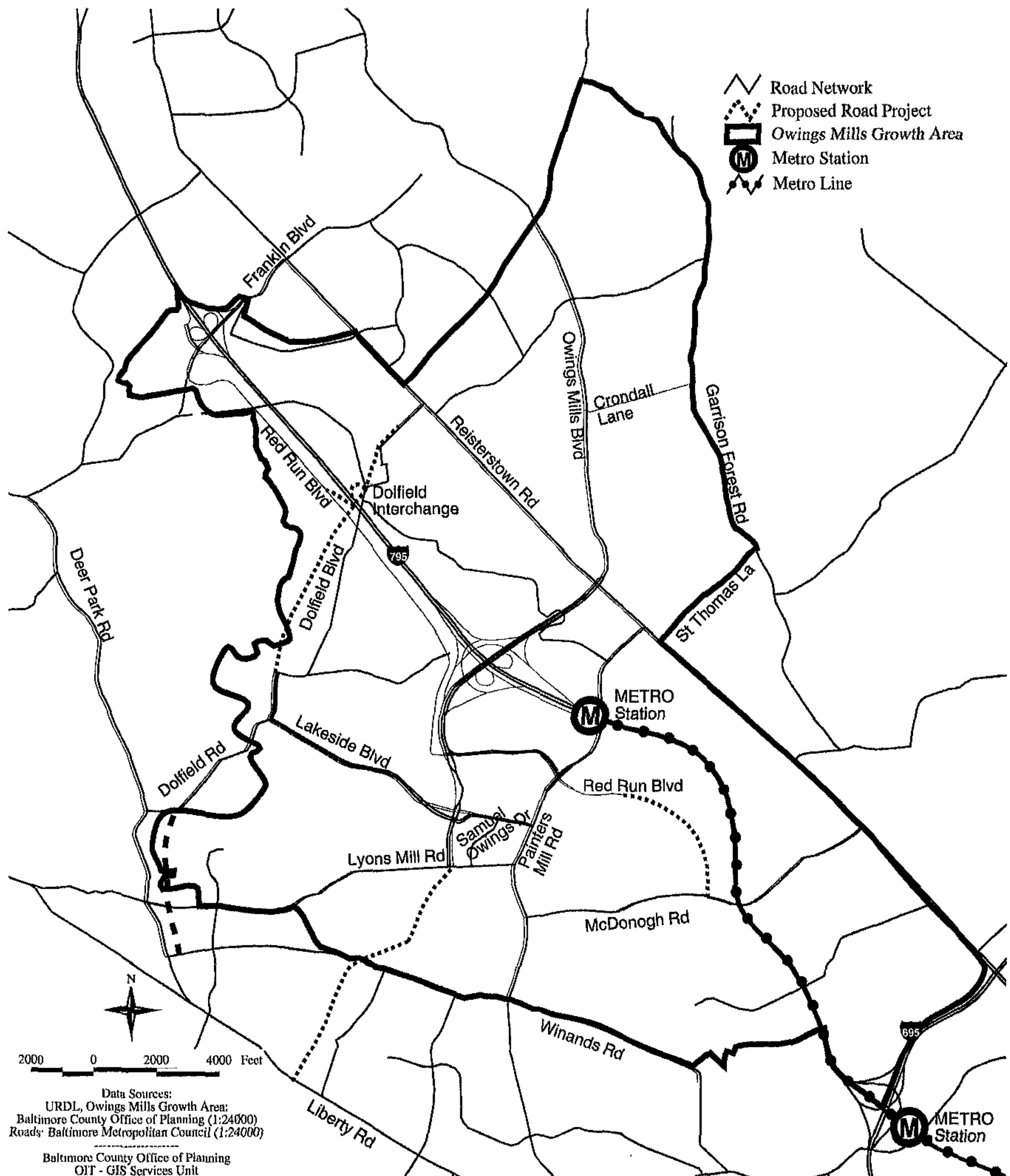
Because of its concentration of mixed uses, the Owings Mills Growth Area offers the potential for reducing local automobile dependence and thus traffic congestion. A comprehensive bicycle and pedestrian network would assist Smart Growth initiatives and enhance the quality of life.

Actions

1. Construct the Dolfield Boulevard and I-795 interchange.
2. Evaluate the feasibility of completing the unfinished portions of the road network impacted by environmental regulations.
3. Develop facilities for pedestrians and commuters where appropriate. Evaluate pedestrian and public transit linkages, including MTA shuttle service, between the Corporate Campus and the Metro station, and make needed improvements.
4. Upgrade McDonogh Road from Painters Mill Road to Reisterstown Road.
5. Determine whether Red Run Boulevard should be extended to McDonogh Road.



The privately developed Owings Mills New Town provides a good example of landscaped medians and tree-lined rights-of-way with good pedestrian access.



MAP 25
OWINGS MILLS GROWTH AREA TRANSPORTATION NETWORK



6. Consider extending Dolfield Boulevard from I-795 to Reisterstown Road.
7. Construct the extension of Owings Mills Boulevard south to Winands Road and Liberty Road.
8. Study and implement feasible mechanisms to provide a comprehensive bicycle and pedestrian network within the Owings Mills Growth Area.

Issue: Providing Parks and Recreation Facilities

The provision of recreational facilities and open space is one of the key elements in the development of Owings Mills as a desirable, attractive, and healthy place to live and work. The existing *Owings Mills Open Space Plan* adopted by the Baltimore County Council in 1995, remains valid. It provides for an extensive stream valley park along Red Run accessed by a system of pedestrian paths and bikeways. A proposed native species arboretum replaces the originally proposed Red Run Lake as the centerpiece of the park.

Many of the active recreational needs of the citizens of the Owings Mills area will be met through recreation programs at local school recreation centers, including proposed sites. However, it is necessary to supplement these sites with a variety of parklands that can provide a wide range of recreational opportunity. Two recent acquisitions, the 240-acre Northwest Regional Park site and the 80-acre former Associated Jewish Charities property, will greatly assist in meeting the recreational needs of the area's residents.

**RECREATIONAL
FACILITIES AND OPEN
SPACE ARE KEY
ELEMENTS IN THE
DEVELOPMENT OF
OWINGS MILLS AS A
DESIRABLE,
ATTRACTIVE, AND
HEALTHY PLACE TO
LIVE AND WORK.**

Actions

1. Plan and develop the Northwest Area Park with a mix of passive and active recreational amenities.
2. Develop the Red Run Stream Valley Park. Incorporate land dedicated by the Owings Mills New Town as well as the abandoned Old Dolfield Road right-of-way.
3. Obtain community input before approving and constructing neighborhood pathways. Open spaces that are not conducive to monitoring should be dedicated to homeowner associations or remain as natural areas.
4. Continue to involve the community in the park planning process.
5. Continue to use school properties to provide recreational opportunities for the surrounding community.

Issue: Meeting Educational Needs

Baltimore County has continuously acknowledged and supported the need for community-based schools in the Owings Mills and Reisterstown areas. The county has demonstrated its commitment to area schools by:

- Expanding the programmed New Town Elementary to 750 seats;
- Adding 600 seats to Franklin High School and 400 seats to Franklin Middle School;
- Adding 200 seats to Deer Park Middle School and 100 seats to Deer Park Elementary School; and
- Including funds for a New Town Middle and High School in the 1998 Bond Referendum.

Action

Continue to monitor residential growth and plan for necessary school facilities.

Issue: Ensuring Development Quality

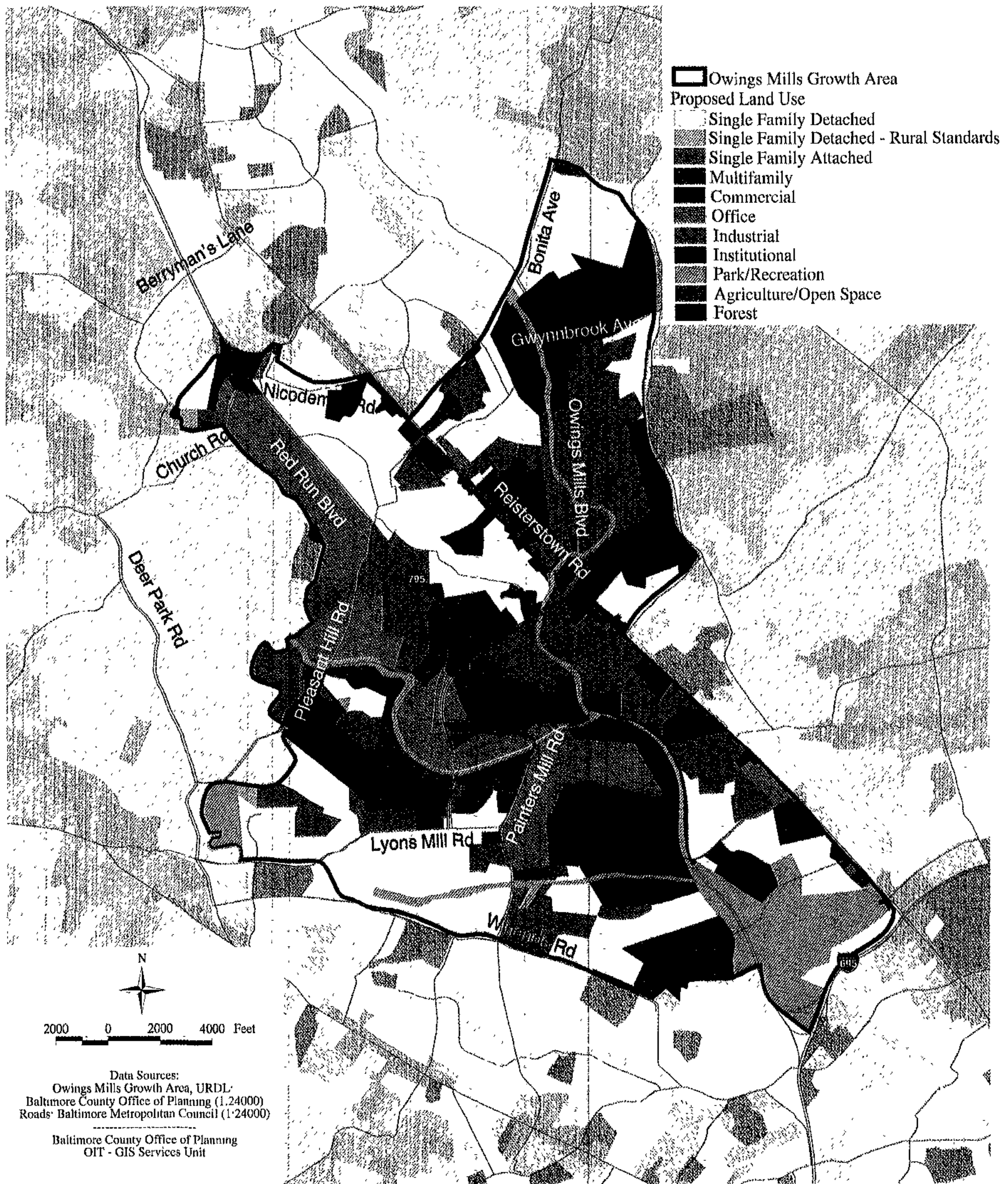
Development has taken place in Owings Mills without the benefit of an overall design model. While the quality of non-residential design has been good, the quality of design in residential developments has been inconsistent. The design objectives for Owings Mills are to create an attractive, well-functioning physical environment; to project a positive image of the growth area; and to define a clear sense of place. Landscaping, signs, and exterior materials can serve as unifying elements to support the community identity of Owings Mills. Design elements such as planted medians, street trees, and wide sidewalks can contribute to the community's attractive visual appearance and livability.

Actions

1. Develop standards for new private and public development to provide high quality and uniformity.
2. Devise mechanisms to ensure that the standards are followed consistently, such as through covenants, an overlay district, or a special review process.
3. Provide for wide sidewalks and bikeways along the existing and proposed road network.
4. Review boundaries of the Owings Mills Growth Area and assess extending boundaries across roads in those instances where roads are used as boundaries.



*THE DESIGN
OBJECTIVES FOR
OWINGS MILLS
INCLUDE CREATING
AN ATTRACTIVE, WELL-
FUNCTIONING PHYSICAL
ENVIRONMENT AND
DEFINING A CLEAR
SENSE OF PLACE.*



MAP 26
 OWINGS MILLS GROWTH AREA PROPOSED LAND USE

PERRY HALL-WHITE MARSH GROWTH AREA



The Perry Hall-White Marsh Growth Area is located in northeast Baltimore County (Map 27). It is approximately 12,000 acres or 18.8 square miles in size. The County Council adopted the *Perry Hall-White Marsh Plan* in 1985. The plan established the area, including White Marsh Mall, which opened in 1981, as the town center. White Marsh Boulevard was planned to provide convenient access to I-95 and I-695. Perry Hall and Honeygo Boulevards were planned to become part of a system of radial highway connections to all the surrounding residential districts, enabling the town center to become the central focus of the growth area.

The plan identified three primary areas for business development. The White Marsh Business Community was targeted for mixed office and light industrial development. This area was to be marketed for prestigious, high profile corporate development. The Philadelphia Road Corridor was identified as a location for a wide variety of industrial as well as other types of development. The Fitch Avenue Industrial Area was to be consolidated as a predominantly industrial district because of its good access to I-695.

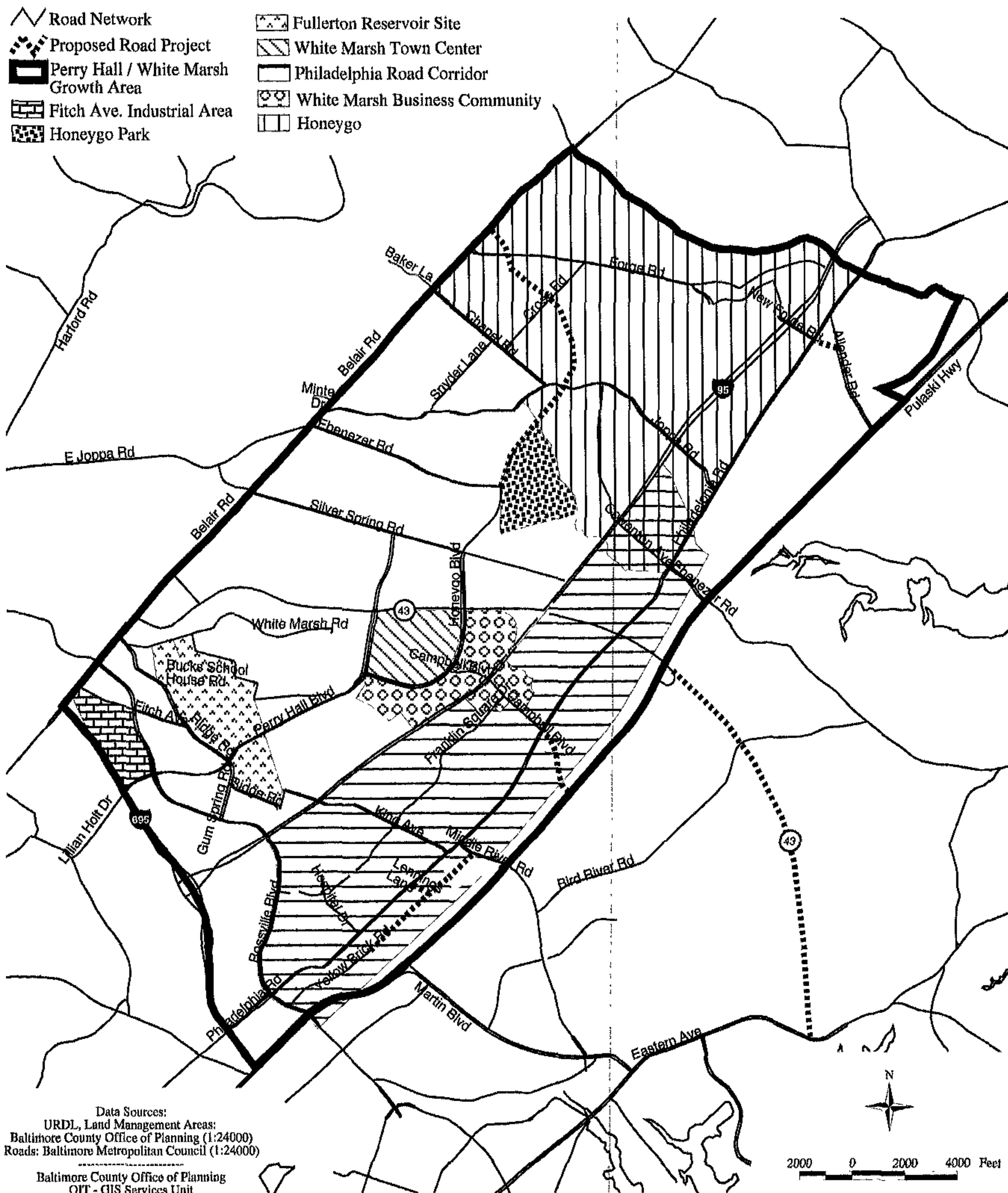
Subsequently, detailed local plans prepared and adopted by the Baltimore County Council amended the *Perry Hall-White Marsh Plan*. The *Philadelphia Road Corridor Study*, adopted in 1992, made detailed recommendations on future land use and thoroughfares. The *Eastern Baltimore County Revitalization Strategy*, adopted in 1996, identified the White Marsh Business Community and town center area as the northern anchor for economic development in the eastern part of the county. It also reaffirmed the policies of the *Perry Hall-White Marsh Plan* for industrial land use.

The *Honeygo Plan*, adopted in 1994, promotes the development of traditional neighborhoods. Honeygo is bounded by Belair Road, Gunpowder Falls, Philadelphia Road, Chapel Road and Honeygo Run, forming the northern edge of the growth area. Concurrent with the adoption of the Honeygo Plan, the County Council created the Honeygo Overlay Districts. All land within these districts are covered by an H or H1 designation, and are subject to special regulatory requirements and design standards.

The Honeygo Overlay Districts are unique in many ways. For one, residential construction is linked to the provision of infrastructure improvements (roads,



The White Marsh Mall and surrounding development comprises the town center of Perry Hall-White Marsh.



MAP 27
PERRY HALL-WHITE MARSH GROWTH AREA

sewer, water) that must precede large scale residential development. Additionally, the overall design of Honeygo is based on the “new town” concept. Tree-lined streets with sidewalks are laid out in a grid system. They will connect individual developments with each other and with the commercial center, which is planned in the heart of Honeygo. Parklands interspersed throughout the area will furnish ample opportunities for both active and passive recreation.



Since the *Perry Hall-White Marsh Plan* was adopted, major roadway projects have been completed providing access and water and sewer service to much of the growth area. Approximately 2.9 million square feet of private, non-residential development took place in the growth area from 1990-1998, including: 417,000 square feet of office space; 362,000 square feet of research and development flex space; 600,000 square feet of warehouse-distribution space; and 490,000 square feet of industrial development. The provision of public facilities has included a new library, police station, and post office.

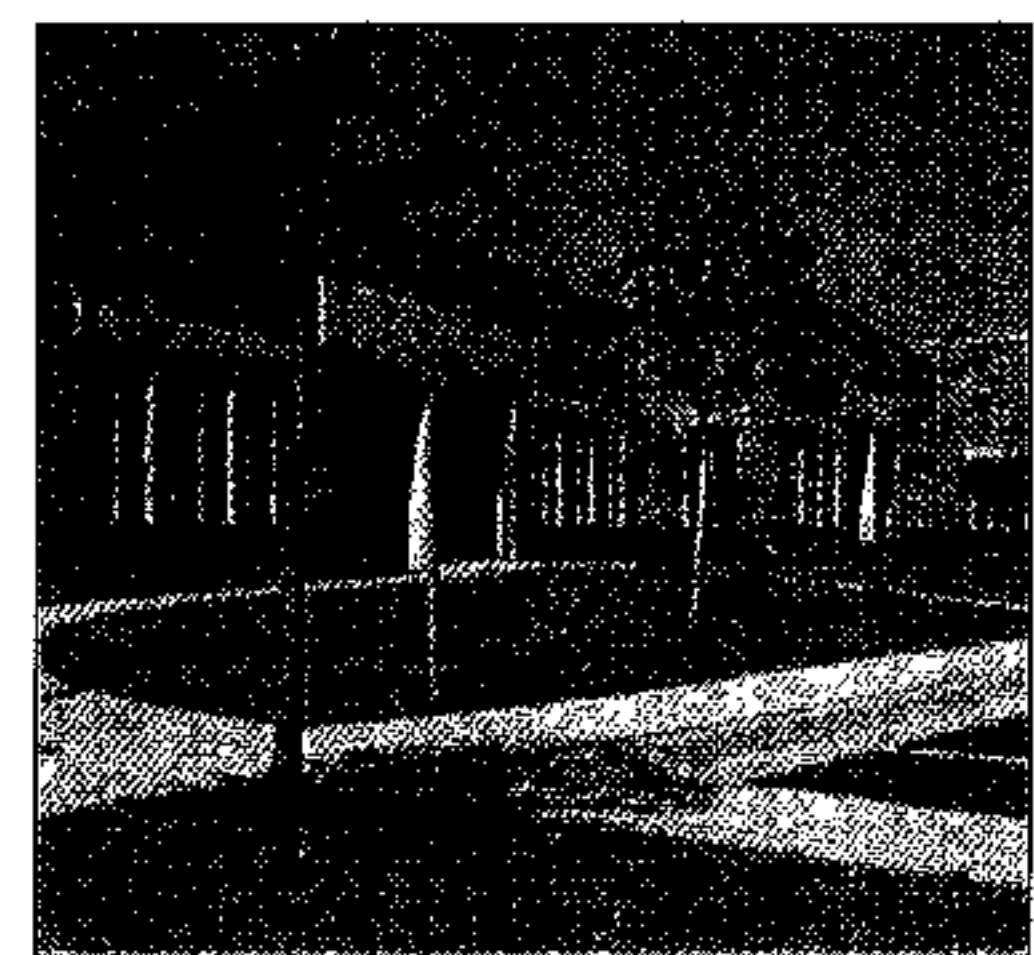
New residential development areas in Perry Hall-White Marsh include over 400 acres west of I-95. More than 2,800 out of 3,000 planned dwelling units have been built, including single family homes, townhomes, condominiums, and apartments. The east side of I-95 offers an additional 200 acres of future residential development, which will allow for an additional 1,500 units. Since 1990, White Marsh residential activity represents 18% of the total county market.

ISSUES AND ACTIONS

Issue: Promoting Economic Development

The industrial, service, and commercial core of the Perry Hall-White Marsh Growth Area is the fastest growing employment area in the county. A high quality corporate image has been established at the White Marsh Business Community, which is a 430-acre mix of office, research and development, warehouse-distribution, light manufacturing, and retail space.

The Philadelphia Road Corridor is zoned primarily for light manufacturing uses with heavier business zoning along Pulaski Highway. Large portions of the western side of Philadelphia Road are zoned for residential development. The completion of infrastructure, especially Yellow Brick Road and the extension of Campbell Boulevard, will spur new development.



The industrial, service, and commercial core of the Perry Hall-White Marsh Growth Area is the fastest-growing employment area in the county.



With good access to the interstate system, the Fitch Avenue Industrial Area provides opportunities for additional industrial development.

Actions

1. Encourage the most prestigious kinds of development to occur in the vicinity of the town center.
2. Encourage the development of industrial and office-research parks associated with a landscaped campus theme on parcels adjacent to White Marsh Boulevard and I-95. Ensure that White Marsh Boulevard continues to present an upscale quality image appropriate for the corporate businesses in the area.
3. Encourage a wide variety of industrial development in the corridor between Pulaski Highway and Philadelphia Road north of the beltway.
4. Provide amenities that attract national and regional corporate businesses.
5. Encourage particularly high quality development for all non-residentially zoned land between the town center and Pulaski Highway.
6. Retain industrial zoning in the Fitch Avenue Industrial Area.

Issue: Balancing Retail and Employment-Intensive Land Uses

Retail and service development has occurred on two large industrially zoned tracts in the growth area, in one case as the result of a zoning change, and in the other case as the result of a successful PUD-C application. These changes were justified by the quality of development, the need for high quality commercial amenities to attract national and regional serving corporate employers, and changes in retail shopping patterns giving rise to “big box” retailers. Nevertheless, the rezoning of industrially zoned land to accommodate retail development represents an increasingly common trend that threatens the supply of land available for employment-generating, non-retail businesses. The core area around the town center now has a substantial amount of land used or zoned for retail/service.



The Avenue at White Marsh was developed as a PUD-C on industrially-zoned land.

Action

Concentrate new retail development in established retail areas. Emphasize employment-oriented development in the remainder of the growth area’s non-residentially zoned property. PUD-C proposals should be consistent with this policy.

Issue: Developing the Town Center

The largest single concentration of commercial activity in the Perry Hall—



White Marsh Growth Area is White Marsh Mall, a 1.1 million square foot regional shopping center. The mall is the focus of the town center and is surrounded by restaurants, a community shopping center, and a major furniture store. It is further complemented by several discount stores less than one-half mile away. "The Avenue at White Marsh," a new commercial and entertainment center that has recently been developed with attractive architecture, a pedestrian-oriented site design, and extensive landscaping, has created a vibrant atmosphere in the town center. Developments with these types of amenities should continue to be emphasized in the town center.

Actions

1. Encourage high quality office development and commercial businesses adjacent to the town center to maintain the growth area's positive image.
2. Encourage pedestrian-oriented uses linked by public spaces.

Issue: Ensuring Livable Communities

The majority of the Perry Hall-White Marsh Growth Area is zoned for residential use and has provided significant opportunities for moderate cost home ownership. Since 1980, the population in the area has grown by approximately 21,000 people and the number of housing units has increased by nearly 200 percent. The undeveloped residentially zoned land is concentrated in the Honeygo area and the southwest section of the growth area. The Honeygo area has been designed and planned as a pedestrian-friendly community of connected neighborhoods, rather than a collection of isolated subdivisions. Local community associations are concerned about the density, type, and timing of future housing construction and the need to support and stabilize older neighborhoods. Although designated as a growth area, Perry Hall-White Marsh has long-established communities that should be actively conserved.

Actions

1. Develop mechanisms to encourage a mix of housing types within the same development project where they are permitted by the zoning and development regulations.
2. Maintain and effectively enforce appropriate design and development standards for residential projects in order to maintain high quality environments.

LOCAL COMMUNITY ASSOCIATIONS ARE CONCERNED ABOUT THE DENSITY, TYPE, AND TIMING OF FUTURE HOUSING CONSTRUCTION AND THE NEED TO SUPPORT AND STABILIZE OLDER NEIGHBORHOODS.



3. Evaluate each new development proposal with respect to compatibility with adjacent land uses and the contribution of each new project in reinforcing existing or proposed open space, pathway, and circulation components.
4. Protect and upgrade existing residential areas through code enforcement and community conservation programs.
5. Evaluate the development potential and density of the existing DR 5.5 zoning located west of I-95 between Whitemarsh Run and I-695 and modify the zoning as needed to ensure compatibility with the neighborhood.
6. Orient new business development that occurs along Philadelphia Road at Campbell Boulevard toward Campbell Boulevard, thus limiting increased business traffic for the residential communities further south.
7. Consider limiting through truck traffic on Philadelphia Road south of Campbell Boulevard.

Issue: Providing a Functional and Attractive Transportation Network

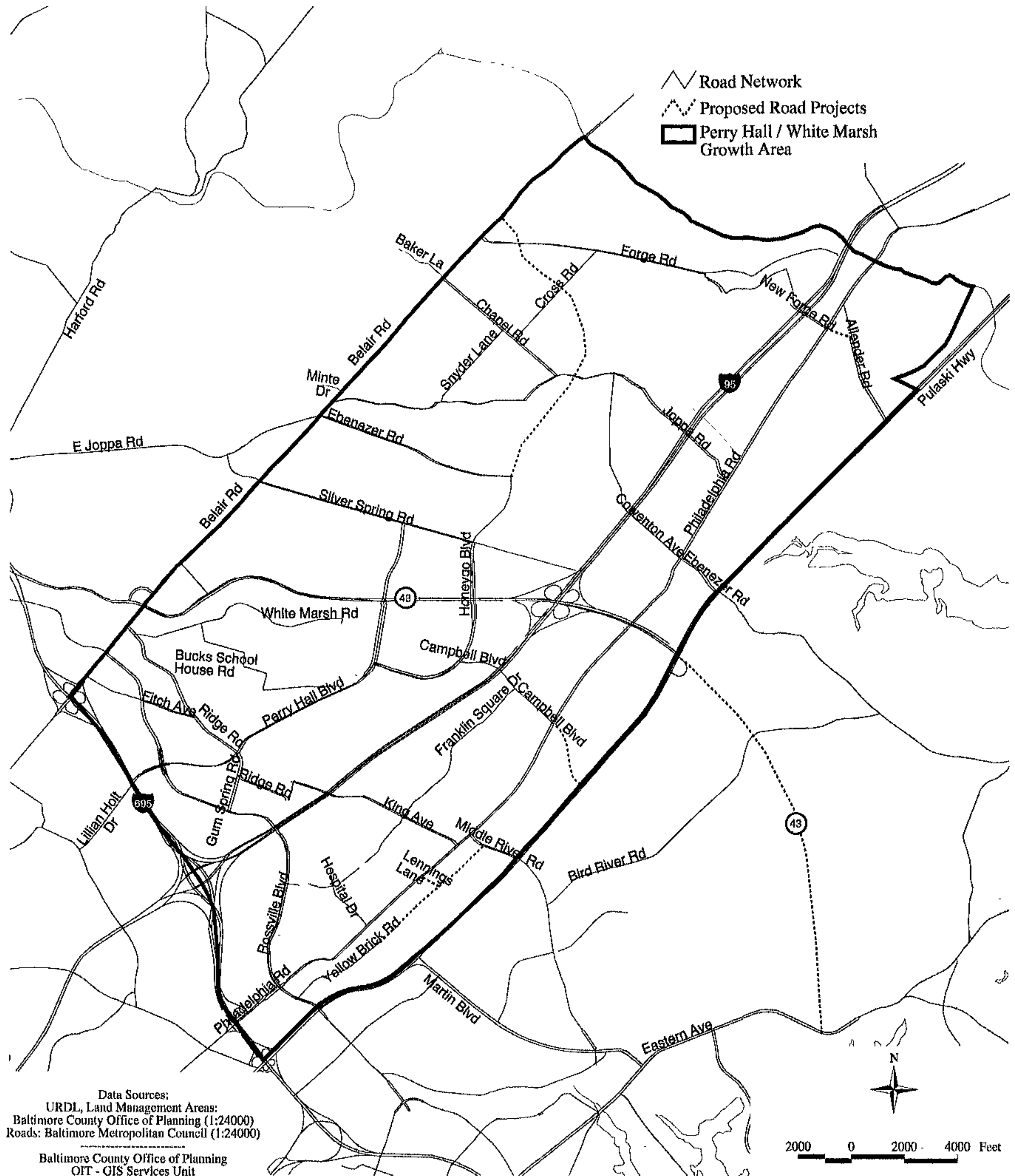
Several major roadway projects have been completed in the Perry Hall-White Marsh Growth Area over the last 10 years. Such projects include the construction of White Marsh Boulevard between I-95 and I-695, the extension of Perry Hall Boulevard from Rossville Boulevard to Honeygo Boulevard, the extension of Rossville Boulevard to Putty Hill Avenue, the construction of Campbell Boulevard between I-95 and Philadelphia Road, the extension of Franklin Square Drive to Campbell Boulevard, the widening and upgrading of Belair Road, and the construction of a new White Marsh Boulevard interchange at Philadelphia Road. The extension of Honeygo Boulevard to Belair Road and the extension of Campbell Boulevard to MD 43 are key projects needed to complete the growth area network (Map 28). Due to the concentration of employment and housing, transit opportunities need to be evaluated.



Major road projects have opened up new areas for development.

Actions

1. Place a high priority on pursuing the following transportation projects that have been given an “early need” designation. This designation suggests the project is perceived to be needed now or in the short range in response to present or imminent circumstances.
 - Realign Ebenezer Road at Cowenton Avenue.
 - Widen the Baltimore Beltway from I-83 to I-95.



MAP 28
 PERRY HALL-WHITE MARSH GROWTH AREA ROADWAY NETWORK



- Construct Honeygo Boulevard from Ebenezer Road to Belair Road.
 - Construct Campbell Boulevard from Philadelphia Road to Pulaski Highway.
 - Widen Philadelphia Road from Campbell Boulevard to Cowenton Avenue.
 - Upgrade White Marsh Road from Bucks School House Road easterly.
 - Widen Perry Hall Boulevard from Rossville Boulevard to Honeygo Boulevard.
2. Provide major roads in such a manner that residential areas will not be penetrated by through traffic on local residential streets.
 3. Study and implement feasible mechanisms to provide a comprehensive bicycle and pedestrian network.

Issue: Providing Parks and Recreation Facilities

Parks and recreation facilities in the Perry Hall-White Marsh Growth Area are not adequate to serve the existing residents. According to the Department of Recreation and Parks, the deficiency of such facilities in the growth area is greater than that of most other areas of the county. The area's need for additional park and recreation facilities will increase with continued population growth. Recent aggressive acquisition efforts have resulted in substantial progress towards meeting community recreational needs, but additional parklands are still needed.

Actions

1. Revise and implement the master plan for Honeygo Park.
2. Seek out sites within the Perry Hall-White Marsh Growth Area, which may be suitable for the development of indoor recreation facilities through private/public partnerships.
3. Acquire additional park sites in the Perry Hall-White Marsh area, including sites needed as a requirement of the *Honeygo Growth Area Plan*.
4. Seek to develop existing park and recreation sites such as the Nottingham Middle School Recreation Center site and a portion of the Fullerton reservoir property, as well as newly acquired sites such as the Honeygo Park addition and the Forge View Road properties.
5. Continue to use school properties to provide recreational opportunities for the surrounding community.

*THE DEFICIENCY
OF PARK AND
RECREATION
FACILITIES IN THE
GROWTH AREA IS
GREATER THAN THAT
OF MOST OTHER
AREAS OF THE
COUNTY.*

Issue: Meeting Educational Needs

A steady flow of county investment in new school facilities has been required to accommodate growth in the White Marsh area. Since the 1989 Master Plan was adopted, Joppa View Elementary School has been constructed, along with a major new addition. Major additions to Perry Hall Middle and Perry Hall High were completed.



Planning for additional growth, the county acquired and retains ownership of three sites that can be used to build schools, depending on projected enrollments. These are: Nottingham Middle School site (35.24 acres), Crossroads Elementary School site (11.07 acres) and the Ridge Road Elementary School site (19.68 acres). Additional school construction is planned to accommodate growth in the Honeygo Area, including an addition for Chapel Hill Elementary School.

Action

Closely monitor enrollment trends in the vicinity of the Crossroads Elementary School site and Chapel Hill Elementary school. Based on monitoring and evaluation:

Initiate planning for the construction of Crossroads Elementary School and Chapel Hill Elementary School.

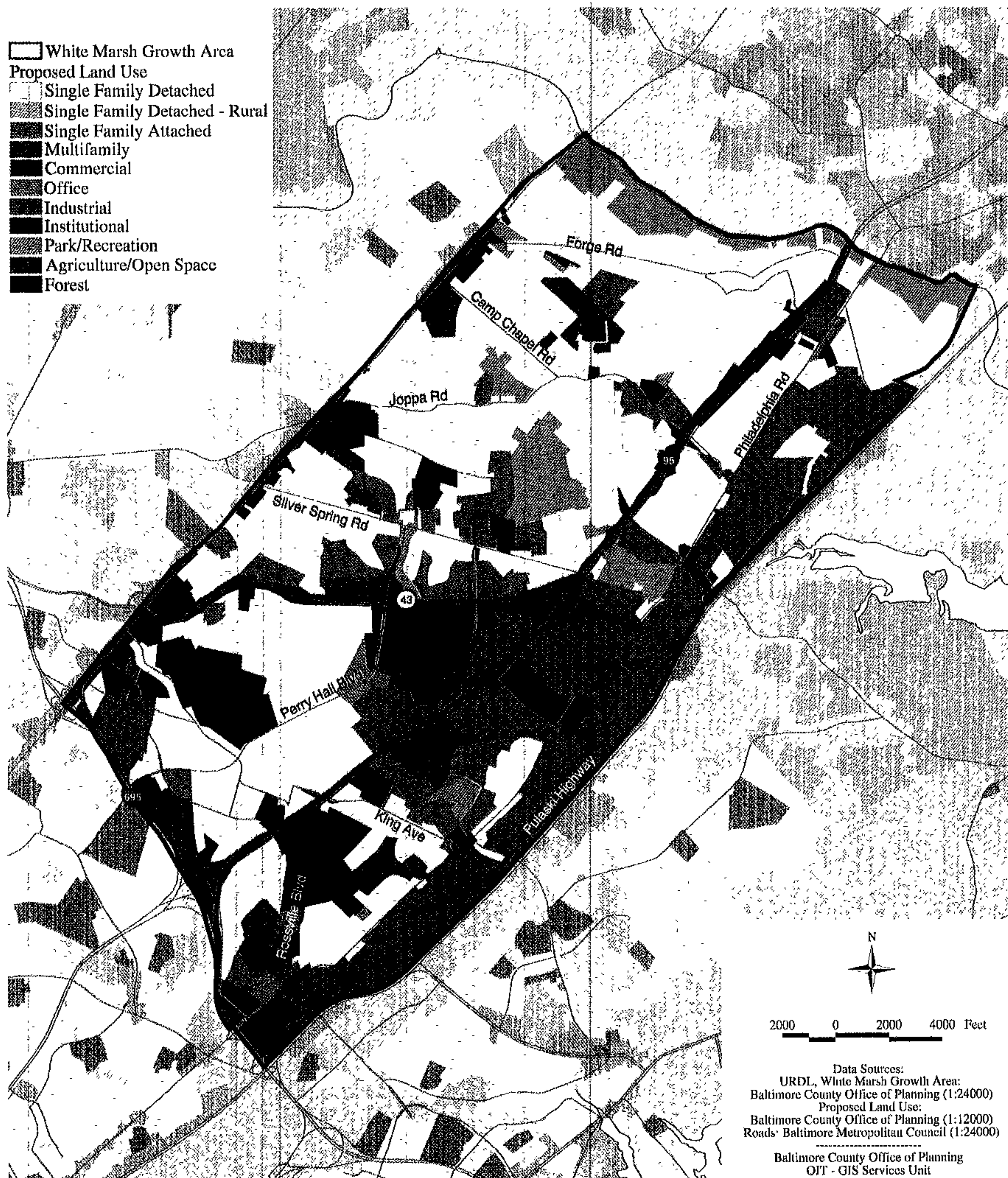
Issue: Ensuring Development Quality

It is very important for the county to maintain and reinforce quality development standards, particularly in the growth areas. Regardless of how a site is developed, each project should be well designed, have attractive landscaping, and complement surrounding land uses. Image is a very important element in the marketing of the growth area. White Marsh Boulevard has become the area's main thoroughfare and as such, it should project an image of quality and vitality. Businesses that do not project this image, such as auto and truck oriented uses or uses with outdoor display or storage, should be located in less high-profile areas.

*IT IS
IMPORTANT FOR
THE COUNTY TO
MAINTAIN AND
REINFORCE QUALITY
DEVELOPMENT
STANDARDS.*

Action

Establish standards for employment, retail, and residential land uses, and create a mechanism for implementation. (Design and development standards have already been established for Honeygo.) Review boundaries of the Perry Hall-White Marsh Growth Area and assess extending boundaries across roads in those instances where roads are used as boundaries.



MAP 29
PERRY HALL-WHITE MARSH GROWTH AREA PROPOSED LAND USE

TOWSON URBAN AREA



INTRODUCTION

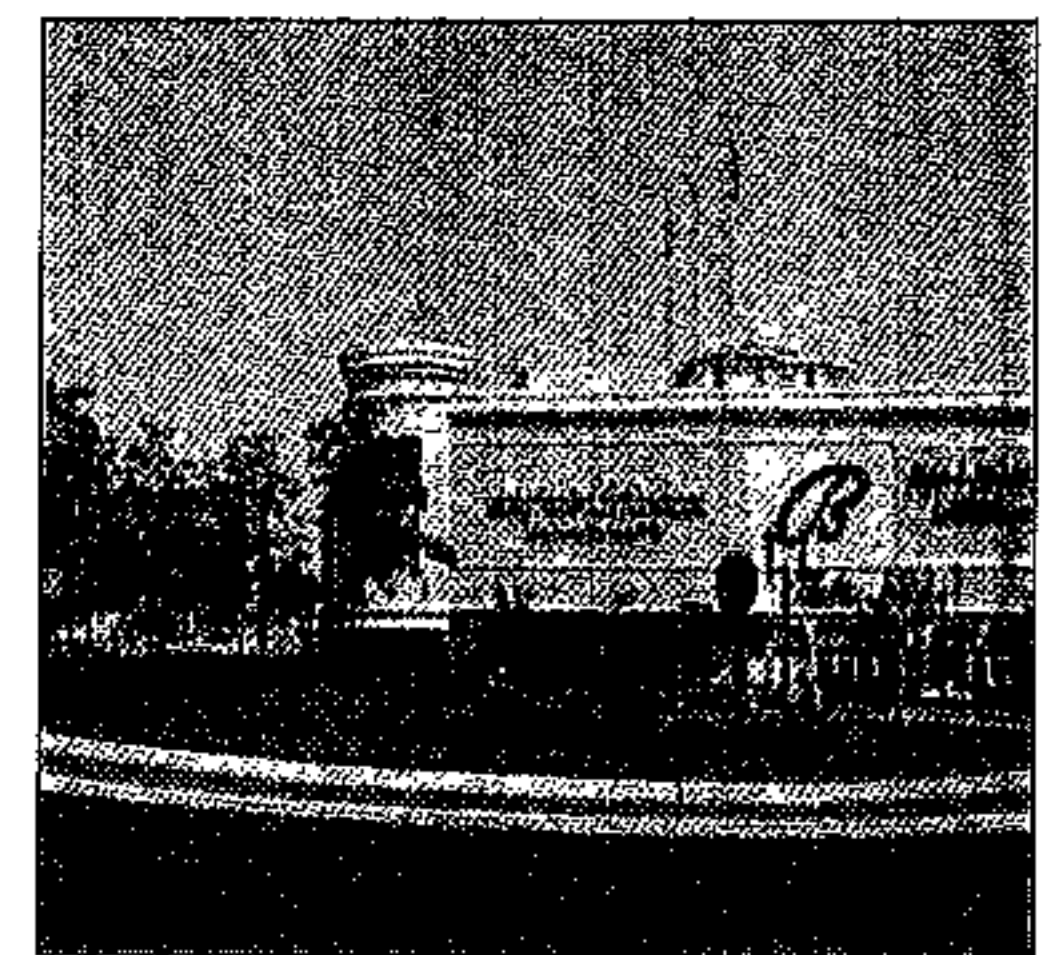
Towson is the county's urban area (Map 30). The urban area designation recognizes Towson's unique position as:

- 1) the seat of county government;
- 2) the legal center (circuit and district courts);
- 3) an educational center (Towson University, Goucher College);
- 4) a medical center (Saint Joseph's Medical Center, Greater Baltimore Medical Center, Sheppard Pratt Health Systems);
- 5) a corporate center (Lafarge, Black & Decker);
- 6) a commercial center (Towson Town Center, Towson Commons); and
- 7) a community of close-knit neighborhoods that surround and are intertwined within the Towson Urban Area.

Located within the Towson Urban Area is the Towson Urban Center (Map 31). The urban center is envisioned to be a vibrant commercial center, supporting a variety of uses, with a strong commitment to green space and a focus on pedestrian amenities. It contains a concentrated mix of governmental, institutional, commercial, and residential uses. These uses are situated in an environment that encourages people to enjoy a wide range of shopping, dining, and entertainment possibilities.

The seat of Baltimore County Government is located in Towson. The government complex occupies several blocks in the urban center, with several other properties scattered throughout the area. Local businesses benefit greatly from having this large workforce, estimated at between 3,400 and 3,700 people, working in the urban center. The government center attracts professional and commercial business to the area.

Institutions in Towson provide a significant employment base for the region with the combined total of employees for the 14 major institutions estimated at 13,100. The presence of these major institutional uses has attracted ancillary uses related to the service sector, such as finance, real estate, and personal services. In addition to the direct financial benefits, there are intangible benefits that include the provision of excellent health care, well-educated graduates who often continue to live in the area, and visitors to the institutions who patronize local businesses.



Redevelopment within Towson's commercial center has been undertaken to increase the variety of uses, open space, and pedestrian amenities.



1000 0 1000 2000 3000 4000 Feet

Data Sources
 Roads: Baltimore Metropolitan Council (1:24000), TIGER Files (1:100000)
 Study Area/Urban Center: Baltimore County Office of Planning
 Baltimore County Office of Planning
 OIT - GIS Services Unit

Place Locations

1 - County Government	6 - Saint Joseph's Medical Center	11 - Lafarge
2 - Circuit Court	7 - Greater Baltimore Medical Center	12 - VIPS
3 - District Court	8 - Sheppard Pratt Health Systems	13 - Towson Town Center Mall
4 - Goucher College	9 - Whiting Turner	
5 - Towson University	10 - Black & Decker	

MAP 30
 TOWSON URBAN AREA

Regional and national companies are attracted to Towson and a range of commercial and service companies cater to consumers and businesses.



Towson contains a major regional retail mall and a main street offering a variety of retail shops and services.

The Towson Urban Center contains and is surrounded by residential communities. Housing choices in the Towson Urban Area include apartments, townhomes, condominiums, and single family detached homes, all located within a mile of the urban center. The health of these communities is directly tied to the vitality of the urban center and vice-versa. The Towson Partnership, a non-profit forum for the diverse voices that shape Towson, has instituted a process of community self-evaluation with an emphasis on setting community standards enforced cooperatively by property owners, community associations, and the county.

POLICY

- Implement land use, transportation, community conservation, and urban design recommendations in accordance with the *Towson Community Plan* and the Towson Urban Center Land Use Map (Map 31).

ISSUES AND ACTIONS

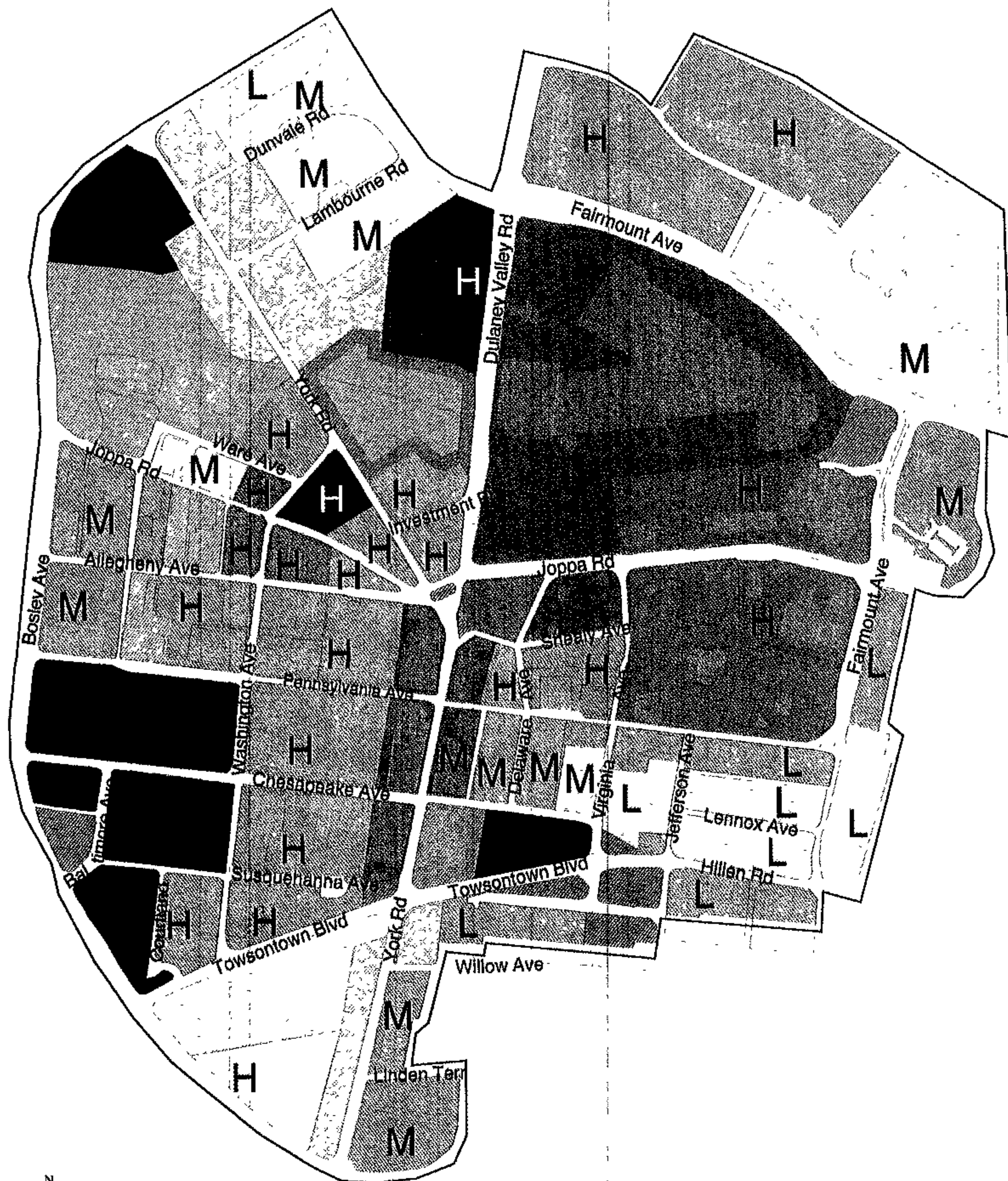
In addition to implementing the *Towson Community Plan*, some aspects of the plan need to be reevaluated and/or expanded, particularly concerning land use, the provision of open space, the continued viability of residential neighborhoods, and the economic vitality of the area's businesses.

Issue: Ensuring Appropriate Land Use

Land use within the urban center was evaluated by The Towson Partnership, and a land use map designating appropriate types of land use and intensities of development was created (Map 31). Maintaining the character of the surrounding residential communities is of paramount importance, and assuring that these communities are not adversely affected by growth within the urban center is essential. Open space within the Towson Urban Area is scarce, and opportunities to provide additional recreational areas need to be explored. While many of the institutional uses now provide open space, future development of these areas is possible because the majority of the land is privately owned.



Maintaining the character of the surrounding residential communities is of paramount importance.



H - High Intensity
7 stories and above residential or office

M - Medium Intensity
3 - 6 story residential with elevator or
3 - 6 story office with small floor plates
(less than 20,000 S.F.)

L - Low Intensity
single family detached townhouse, 2 - 3 story
walk-up condominium, garden apartments, or
small detached offices in RO and ROA zones
such as those in West Towson

Data Source:
Daft, McCune, Walker on Behalf
of The Towson Partnership, Inc.
Baltimore County Office of Planning
OIT GIS Services Unit

	Residential
	Office and/or Service
	Office and/or Residential
	Office and/or General Retail
	Office and/or Retail and/or Residential
	General Retail
	Cultural
	Government
	Institutional
	Retail Service
	Open Space

MAP 31
TOWSON URBAN CENTER LAND USE



Institutions that comprise a significant land base in the urban area include Towson University, Saint Joseph's Medical Center, Greater Baltimore Medical Center, and Sheppard Pratt Health Systems. In addition, Goucher College, the Country Club of Maryland, the YMCA, and Loyola High School provide significant open space important to the entire community. The county will need to foster a working relationship with the Towson Partnership to evaluate and respond to land use changes on these major properties.

The county should also explore methods of providing safe pedestrian and bicycle linkages between these major institutions. In particular, the large student population at Towson University would benefit greatly from safe pedestrian and bicycle access along Osler Drive.

Actions

1. The County Council may consider the following factors when evaluating requests for rezoning:
 - Ensure that zoning changes in the Towson Urban Center follow the *Towson Community Plan* and the Towson Urban Center Land Use Map (Map 31).
 - Discourage commercial land uses from expanding into existing residential communities abutting the urban center by not supporting the rezoning of land from residential to commercial use.
 - Maintain existing zoning density in the residential neighborhoods surrounding the urban center.
2. Review the BM-CT (business, major-commercial, town center core) zoning district for its compatibility with the land use designations identified in the Towson Urban Center Land Use Map (Map 31).
3. Review redevelopment standards of older strip retail commercial areas to provide redevelopment incentives and create buffers between commercial development and residential areas.
4. Develop criteria for infill development within residential neighborhoods to achieve compatibility with existing development.
5. Evaluate local open space criteria for new development to ensure that open space is accessible, safe, and useable.
6. Work with The Towson Partnership to evaluate the area encompassing the Greater Baltimore Medical Center, Towson University, Saint Joseph's Medical Center, and Sheppard Pratt Health Systems. This area contains land that may be suitable for economic development opportunities as well as expansion of existing uses, enabling growth to be limited to the east side of Charles Street.

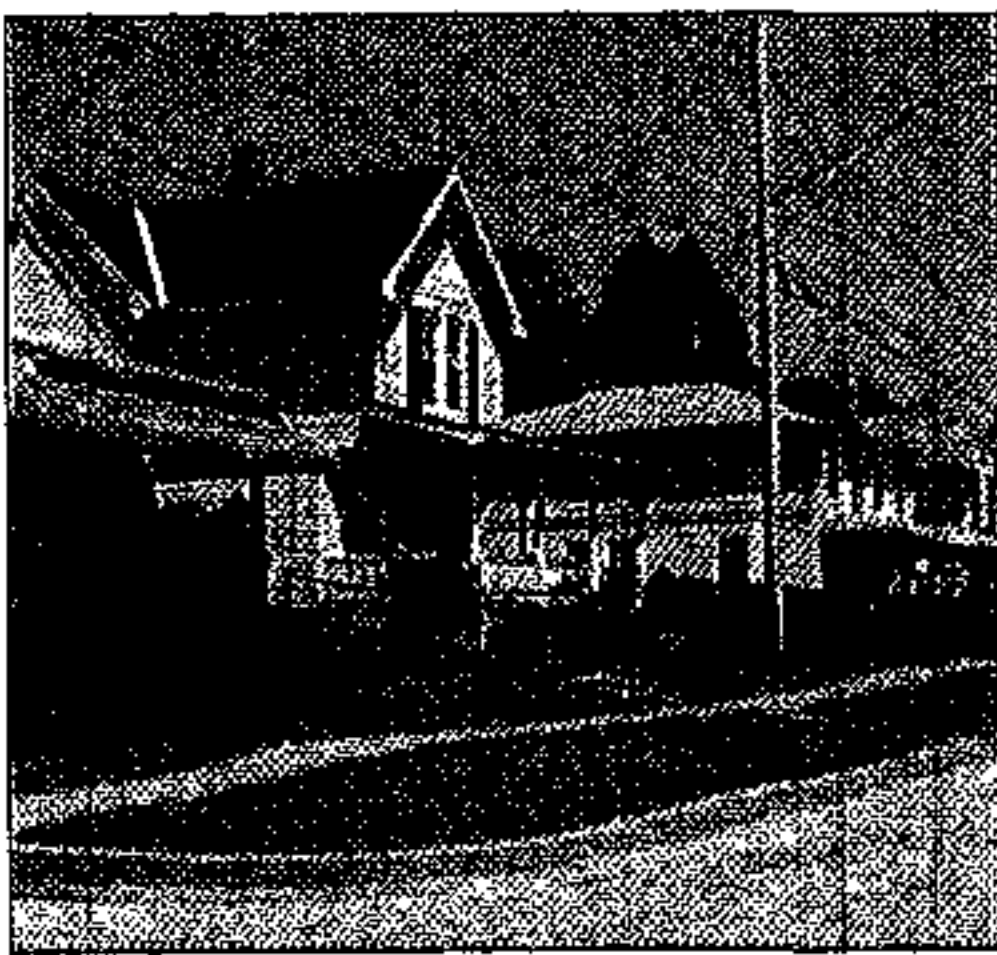
*THE COUNTY
WILL DISCOURAGE
COMMERCIAL LAND
USES FROM
EXPANDING
INTO EXISTING
RESIDENTIAL
COMMUNITIES
ABUTTING THE
URBAN CENTER.*



7. Evaluate methods of improving pedestrian and bicycle access between the institutions that share access on Osler Drive. Explore financing alternatives with these institutions and, in particular, with Towson University, whose students would be the prime beneficiaries of any improvements to Osler Drive.
8. Commercial development and rezoning requests along Charles Street between Stevenson Lane and the Beltway, including the Woodbrook area, should be limited to the existing commercially developed properties unless supported through a duly adopted community planning project.
9. Study ways to use available active open space most effectively, including the efficient and equitable rotation of playing fields and community open spaces. Identify small neighborhood sites suitable for acquisition by a community as passive open space.
10. Commercial development and rezoning requests along York Road between the Baltimore City/Baltimore County line and Burke Avenue should be limited to the existing commercially developed properties unless supported through a duly adopted community planning project.

Issue: Implementing Community Conservation Strategies

Residential communities surround the Towson Urban Center. The health and viability of these communities is tied directly to the health of the urban center, and vice-versa. The Towson Partnership has instituted a process of community self-evaluation with an emphasis on setting community standards to be enforced cooperatively by property owners, community associations, and the county.



The county will explore the use of historic designations, loans and grants, and other special incentives to encourage reinvestment in older neighborhoods.

Actions

1. Continue infrastructure repairs, including alleys, sidewalks, curb and gutters, storm drains, and roads.
2. Continue to develop and improve code enforcement strategies.
3. Continue to work with property owners and community associations to upgrade substandard properties.
4. Develop educational programs for landlords and renters to assist in the management of properties and reduce conflicts between renters and homeowners.
5. Explore the use of historic designations, loans and grants, and other special incentives to encourage reinvestment in older neighborhoods.



Issue: Ensuring an Adequate Transportation Network

The Towson Urban Area is served by an extensive road network including York Road, Charles Street, I-695, Dulaney Valley Road, Joppa Road, Fairmount Avenue, Goucher Boulevard, Hillen Road, Burke Avenue, Bosley Avenue, and Towsontown Boulevard. The commuter traffic into and out of Towson continues to be an issue for the urban center as well as the residential neighborhoods. In light of the projected growth of many of the area institutions, serious study and thoughtful solutions will be required to move traffic effectively. Parking within the Towson Urban Center has been an ongoing concern. The apparent perception that parking is inadequate needs to be addressed.

Actions

1. Complete a transportation analysis to determine capacities available given the existing road network.
2. Assess whether the network of one way streets is a barrier to development east of York Road.
3. Analyze commuting patterns to develop and implement traffic management policies that ameliorate the quantity and speed of traffic in residential neighborhoods.
4. Evaluate the parking strategy for the Towson Urban Center.

Issue: Promoting Economic Development and Establishing an Urban Design Identity

The Towson Urban Area has the county's largest concentration of diverse uses: office and retail businesses, government facilities, nonprofit institutions, and restaurants. Major corporate uses include: the headquarters for Lafarge, Black & Decker, Whiting-Turner, AT&T Capital Corporation, and VIPS Incorporated. Towson University, Goucher College, Greater Baltimore Medical Center, St. Joseph's Medical Center, and Sheppard-Pratt Health Systems are major institutional uses. The 960,000 square-foot Towson Town Center mall offers an upscale shopping experience anchored by two major department stores. Towson contains 5,778,500 square feet of office space (occupancy rate 93.5% in 1998) and 1,228,400 square feet of flex/industrial space (occupancy rate 71.5% in 1998).

THE TOWSON URBAN AREA HAS THE COUNTY'S LARGEST CONCENTRATION OF DIVERSE USES: OFFICE AND RETAIL BUSINESSES, GOVERNMENT FACILITIES, NONPROFIT INSTITUTIONS, AND RESTAURANTS.

Among the issues that need to be addressed in order to ensure Towson's economic vitality are maintaining quality employers, appropriate redevelopment of marginal or vacant properties, and ensuring an adequate marketing strategy.



Over the past 150 years, Towson has developed from a small crossroads, to a rural village, and finally into an urban area. The ultimate build-out and visual image of Towson should support the concepts provided in the *Towson Community Plan* and the Towson Urban Center Land Use Map (Map 31).

Actions

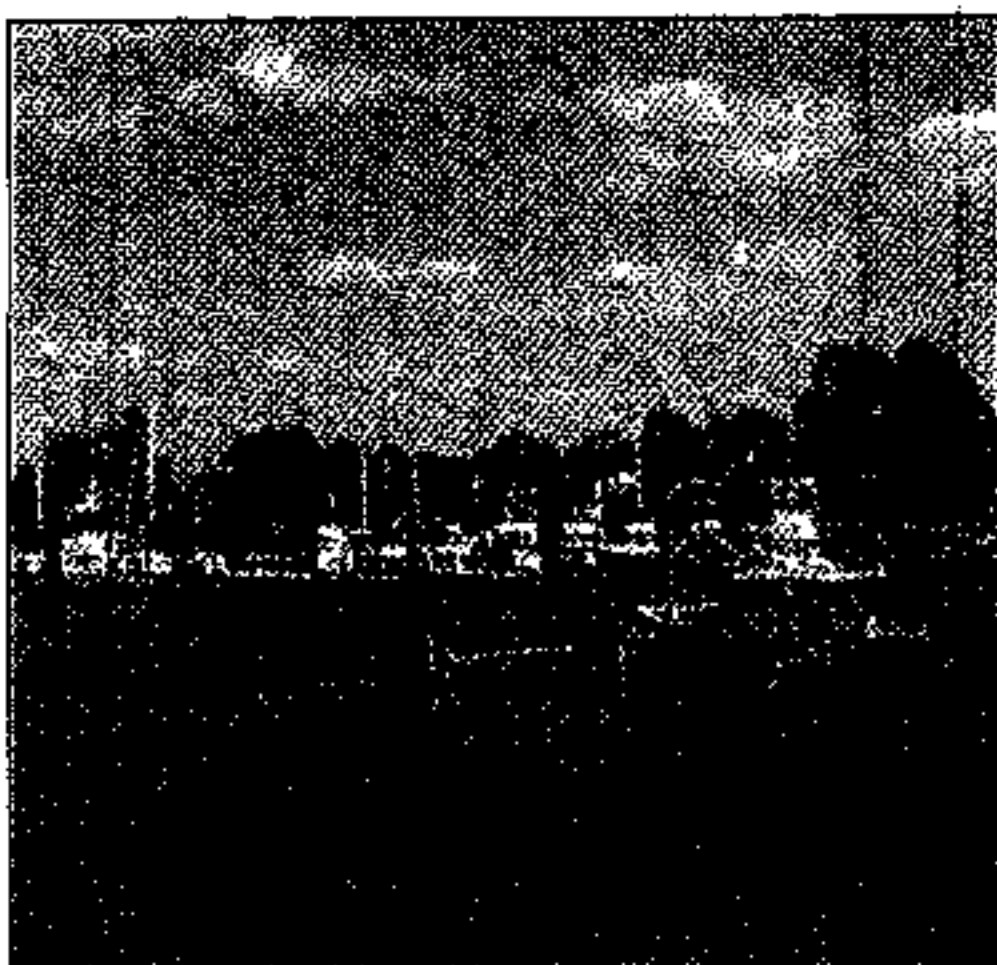
1. Establish a mechanism to assemble and market underutilized, fragmented properties for economic redevelopment.
2. Develop a mechanism for obtaining additional liquor licenses for the urban center to promote positive economic development; consider establishing an inventory bank of available licenses.
3. Create a marketing package for Towson highlighting major available properties, both land and buildings, and the amenities offered by the urban center.
4. Maximize Towson's potential to attract major corporations.
5. Expand the Towson Commercial Revitalization District to include the York Road corridor and the concentration of office uses on West Road.
6. Create and adopt a design plan for the Towson Urban Center.

WATERFRONT

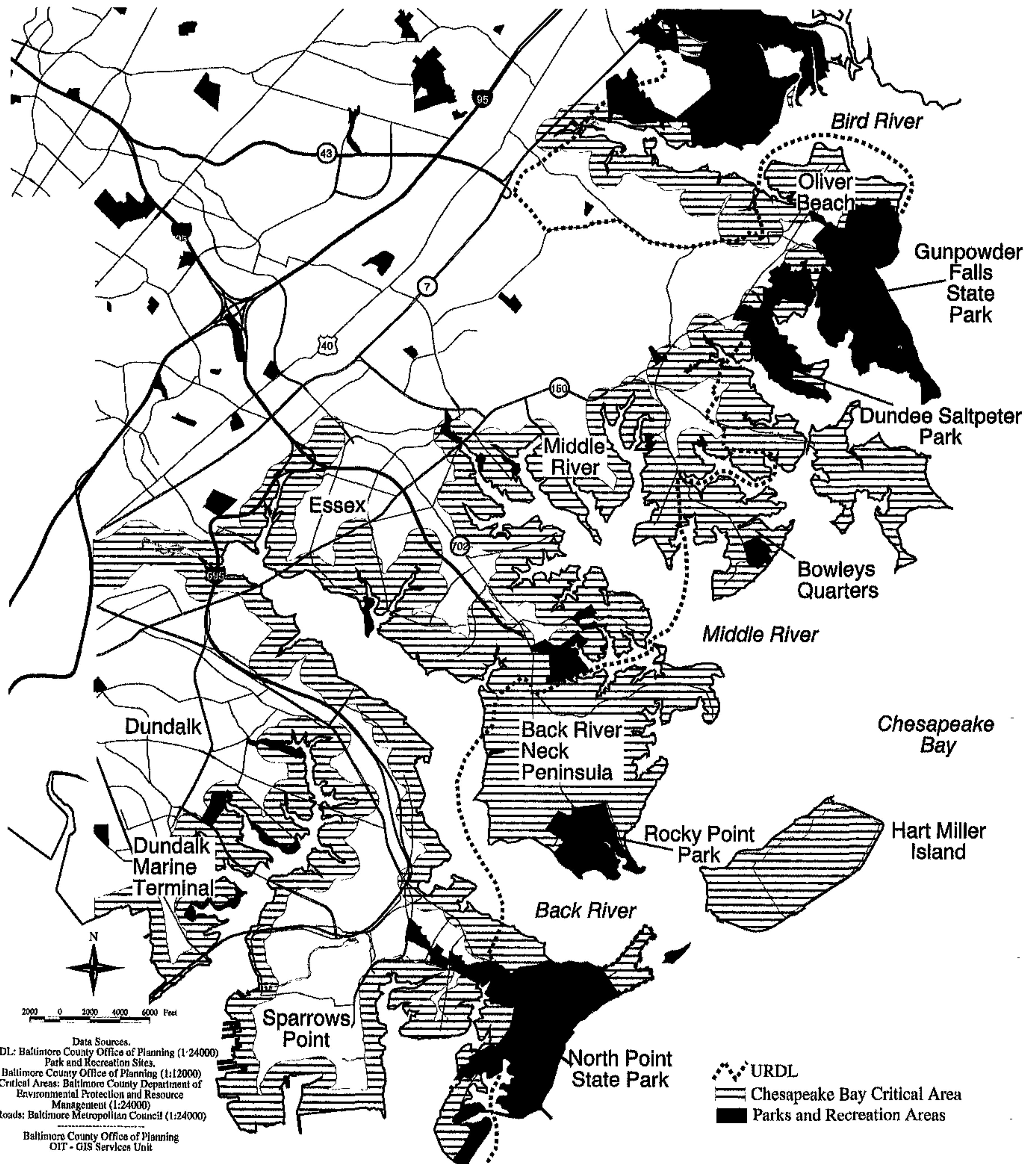
INTRODUCTION

The waterfront is one of Baltimore County's extraordinary natural resources. Along large segments of the county's 173-mile shoreline are urban areas consisting of densely developed residential areas of bungalows and townhouses, and industrial areas of manufacturing plants and port facilities, including truck yards, boat yards and marinas. In addition to these urban developments, the waterfront also has many miles of protected shoreline, bordered by public parkland, pristine woodlands with ample wildlife, low-density residential communities and pockets of agriculture. The URDL meanders along the shore, delineating the urban development from the rural (Map 32). As a general rule, the areas that are at the lower ends of the peninsulas are more rural in character while the upper ends are more heavily developed. The Bethlehem Steel mill at the lower end of the Sparrows Point peninsula is a clear exception.

Maintaining water quality is a high priority for waterfront residents, businesses and visitors. Baltimore County has established a strong, comprehensive water quality program. It includes initiatives to convert and



The waterfront is one of Baltimore County's extraordinary natural resources.



MAP 32
WATERFRONT



retrofit stormwater management systems, dredge streams, restore waterways, stabilize the shoreline, and develop and implement comprehensive watershed plans. In addition, the Chesapeake Bay Critical Areas law helps to protect water quality and sensitive waterfront areas by regulating development within 1000 feet of tidal water. The county, as part of the State of Maryland's commitment to save the Chesapeake Bay from further environmental degradation, enforces this legislation.

Sensitive undeveloped areas are also protected through resource conservation zoning, through additional environmental regulations, and by maintaining the URDL. Zoning densities have been reduced in some waterfront residential neighborhoods to ensure that infill development is compatible with the existing waterfront character. Efforts to preserve valuable natural resources along the waterfront include Baltimore County's successful application for state Smart Growth funds to establish a waterfront "rural legacy" area. The funds, granted in 1998, will be used to purchase land or easements for preservation.

The *Eastern Baltimore County Revitalization Strategy* (adopted as a master plan amendment in 1996) defines a vision for the waterfront areas that includes conserving and enhancing the existing waterfront communities while attracting some new upscale housing development; creating economic opportunities, including tourism; and enhancing public access to the water. This vision requires a balancing of the use of the waterfront as a natural amenity, a recreational resource, a source of economic opportunity, and a place where people live. Programs have been initiated by the Department of Economic Development to enhance the economic development and redevelopment of this area in conjunction with DEPRM's initiatives to monitor dredging and meet Chesapeake Bay Critical Area objectives.

Many of the permanent homes along the water were originally built as summer cottages on 50-foot wide lots. The addition of new housing on larger sites improves the diversity of the housing stock and helps to revitalize the waterfront communities. The addition of new housing could be accomplished through the consolidation and redevelopment of lots in existing neighborhoods or, where feasible, through the development of larger lot subdivisions. Although sites available for new development are limited, the Chesapeake Bay Critical Areas regulations include a mechanism called "growth allocation" that allows for density increases on a limited amount of



Residential development on undersized infill lots is a concern because of the added density and potential effect on water quality.

Chesapeake Bay Critical Areas land. To implement growth allocation, Baltimore County has established a committee consisting of representatives from various county departments to evaluate petitions for site design excellence and environmental sensitivity.



As an important tourism resource, Baltimore County's waterfront presents exciting opportunities for recreation, leisure activities, and economic development. Strategies for stimulating waterfront tourism include upgrading the appearance and image of the waterfront; enhancing and promoting public parks and other waterfront destinations; encouraging the development of interesting new recreational and commercial waterfront destinations; establishing links among waterfront destinations; and enhancing land and water access to the waterfront.

POLICIES

- Continue to implement a comprehensive water quality program, including citizen education.
- Limit growth and control density along the waterfront.
- Maintain land use and development standards essential for the protection of the Chesapeake Bay's biological integrity.
- Make creative use of opportunities for recreation, tourism, and rural legacy.
- Ensure that any surplus sewerage capacity that may exist is not used to support unplanned growth.
- Enhance the image of the waterfront.
- Preserve the unique rural character of the waterfront residential communities, and improve the quality of new development and redevelopment.
- Make the waterways accessible to citizens for leisure activities.
- Facilitate the redevelopment of underused industrial properties to support the Port of Baltimore.

ISSUES AND ACTIONS

Issue: Improving Water Quality

Improving water quality is the key to the current and future enjoyment of the waterfront.

*AS AN IMPORTANT
TOURISM RESOURCE,
BALTIMORE
COUNTY'S
WATERFRONT
PRESENTS EXCITING
OPPORTUNITIES FOR
RECREATION, LEISURE
ACTIVITIES, AND
ECONOMIC
DEVELOPMENT.*



Actions

1. Steer redevelopment efforts along the waterfront into buffer management areas designated in the county's *Chesapeake Bay Critical Area Buffer Management Plan* in order to maximize water quality protection.
2. Broaden the shoreline stabilization program to include smaller, privately owned properties.
3. Develop an aggressive public education campaign to inform and promote behaviors that will improve water quality.
4. Establish and maintain cooperative relationships with other jurisdictions to protect shared watersheds.
5. Evaluate and monitor private septic systems; make loans or grants to encourage replacement as needed.

Issue: Extending Public Sewer

Sewer extensions planned for the lower peninsulas to relieve public health problems can also be expected to indirectly improve the water quality of adjacent water bodies and the Chesapeake Bay. However, they may have the unintended consequence of stimulating growth.

Action

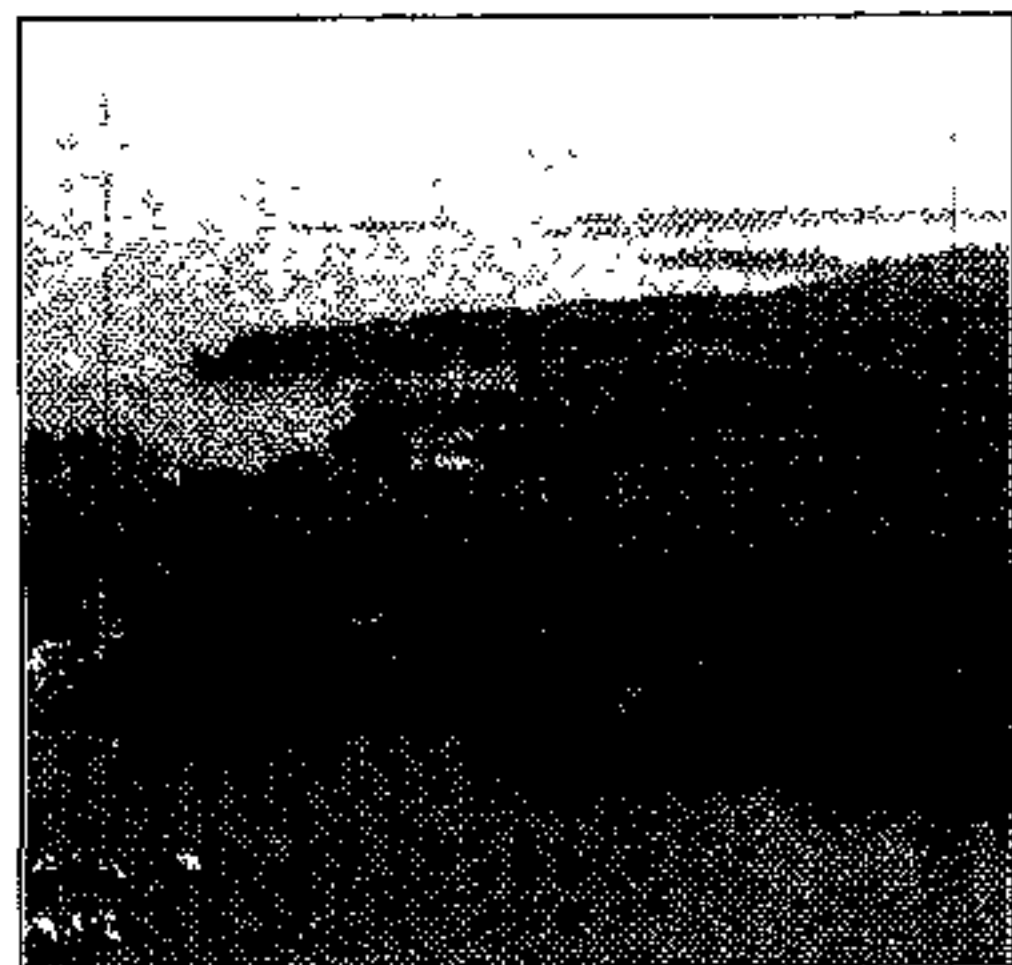
Public sewer extensions should focus on serving lots with existing dwellings or businesses where extensions are needed to relieve a health hazard, and neighboring vested lots that otherwise satisfy county development and building criteria, as well as new development approved through the Chesapeake Bay Critical Area growth allocation process.

Issue: Protecting Natural Resource Areas

Waterfront growth pressures will continue to threaten sensitive natural features in the lower peninsula areas.

Actions

1. Maintain the URDL; ensure that rural portions of the peninsulas remain rural in character and density.
2. Designate the agricultural areas along Bird River as agricultural preservation areas in order to increase opportunities for protection of vegetable farms through easements.
3. Implement the rural legacy plan for the waterfront.



The county will maintain the URDL to ensure that rural portions of the peninsulas remain rural in character and density.

Issue: Improving the Image of the Waterfront Area

The image of the Baltimore County waterfront should be improved in order to encourage tourism, economic investment and high quality redevelopment of housing and businesses.



Actions

1. Selectively assess potential development densities and their impacts, making appropriate adjustments to the zoning map.
2. Create tools and incentives for lot consolidation and redevelopment.
3. Enforce property codes aggressively.
4. Review all growth allocation proposals for consistency with the *Eastern Baltimore County Revitalization Strategy*. Continue to use the growth allocation process to encourage well-designed development projects.
5. Identify and enhance gateways to the waterfront; upgrade the appearance of sites with high visibility.
6. Consider establishing special design standards for development in waterfront areas.
7. Take advantage of opportunities to upgrade marinas and other waterfront uses in designated buffer management areas.

Issue: Enhancing Waterfront Parks

Waterfront parks attract visitors to the area, stimulate interest in water-related activities, contribute to enjoyment and quality of life, and generate spillover economic benefits for the waterfront communities.

The county has recently undertaken a number of new waterfront park projects. The Dundee and Saltpeter Creeks Park is currently under construction and will feature an environmental center with related interpretative facilities such as trails and overlooks. The county is continuing to discuss with the State Department of Natural Resources the possible provision of other recreational activities in the Dundee-Saltpeter area. A large parcel of land has been recently purchased in Chase to serve as the Eastern Regional Park. Open space opportunities are being explored in Chesapeake Village and Tidewater Village. The county is also continuing its development of Southwest Area Park, which will provide boating facilities. The county should continue to provide high-quality waterfront public parks and related programs that accommodate a variety of recreational and leisure activities. The waterways should be made more accessible, and the use of waterfront parks encouraged.



The environmental center at Dundee and Saltpeter Creeks Park is one of the new waterfront facilities recently constructed by the county.



Actions

1. Maintain and upgrade the county's existing waterfront parks.
2. Evaluate park sites for water accessibility, including boat ramps and day piers.
3. Continue to develop the nature center and related facilities at Dundee-Salt peter Park.
4. Continue implementing the "Enterprise Parks Program" to provide expanded and diversified recreational opportunities for a nominal fee.
5. Expand efforts to promote the use of waterfront parks.
6. Pursue collaborative efforts between community businesses and the county in program development and marketing.

Issue: Providing Public Boat Ramps

In some areas, there may be a shortage of public boat ramps, as well as barriers to their use, such as difficult access or inadequate parking. Working with the community, the county should determine whether there is a need for additional boat ramps and, if so, identify appropriate locations for them. Sites should: 1) offer good land access, avoiding narrow residential streets; 2) provide sufficient parking; 3) allow for adequate buffers from residential lots; and 4) have minimal impact on environmentally sensitive areas.

Actions

1. Assess the need for additional ramps and identify appropriate locations; consider non-traditional locations including waterfront public schools and waterfront sites in industrial areas.
2. Consider keeping some facilities with ramps open longer hours or design gates through which patrons can leave but not enter after certain hours.
3. Identify, and remedy to the extent possible, the barriers limiting the use of existing public boat ramps.
4. Work with neighborhoods affected by existing community ramps to resolve issues such as ramp ownership, maintenance, and security.

Issue: Improving Access to the Waterfront

Seasonal vehicle traffic related to waterfront activities creates congestion, which discourages visitors to the waterfront and can create nuisances to communities. Visitors should be able to reach waterfront public and commercial destinations easily by automobile.

*THE COUNTY WILL
ASSESS THE NEED FOR
ADDITIONAL BOAT
RAMPS IN
APPROPRIATE
LOCATIONS.*

Actions

1. Extend MD Route 43 (White Marsh Boulevard) to Eastern Avenue in order to help relieve traffic backups on the peninsulas.
2. Continue to support the state's plan to improve "Haul Road" to North Point State Park for visitor access.
3. Study problem intersections; mitigate with appropriate traffic management techniques.
4. Implement a waterfront directional sign program to help visitors find the best route to waterfront destinations.

**Issue: Providing Special Destinations**

Special destinations attract visitors who contribute to the local economy. The county should promote and facilitate the development of waterfront destinations that offer commercial and recreational amenities. Travel is a part of the tourism experience that can be enjoyable. Opportunities should be available to travel from one destination to another. Multiple destinations combined with interesting modes of travel can enhance an area's appeal to visitors. Linking destinations thematically can further increase the attraction.

Actions

1. Study the development of a commercial waterfront destination located on surplus property owned by Lockheed-Martin at Dark Head Creek.
2. Investigate possible locations for smaller destinations; assist owners/developers with practical strategies to develop these sites.
3. Study the creation of a water shuttle system to transport visitors to historic sites, and provide links to inland historic sites, such as the Todd House on the North Point Peninsula.
4. Develop day use piers at waterfront parks to allow the parks to be reached by boaters; consider using breakwaters or other devices to make day use piers useable where water is rough.
5. Develop tours to link area destinations with a common theme, such as a military history tour of Fort Howard, Fort Carroll, Fort Armistead, Fort McHenry, and Federal Hill.



The historic Fort Howard military site is one of many potential destinations that could enhance the waterfront's appeal to visitors.

Issue: Promoting Tourism

Wider use and enjoyment of Baltimore County's waterfront can lead to increased investment in the area which, in turn, will help to stimulate the area's economy. The county should market and promote the waterfront to encourage tourism.



Actions

1. Develop strategies and materials to promote waterfront parks, facilities, activities, and special events.
2. Pursue collaborative, private/public efforts to market the economic development potential of the area.

Issue: Improving the Port

The Port of Baltimore, to function effectively, requires tracts of land near the water that can be used to store cargo, transfer cargo to other conveyances, or otherwise support the shipping industry. Underused or abandoned tracts of industrial land exist within close proximity to the waterfront. Some of these tracts could be redeveloped for port-related purposes.

Actions

1. Promote and coordinate the redevelopment of industrial land in the waterfront area for port-related uses.
2. Participate in multi-jurisdictional efforts to create uniform zoning regulations within the port area.
3. Ensure that such industrial redevelopment does not create negative impacts with respect to water quality, recreation, or the quality of life of waterfront residents.
4. Continue to participate in the Port Land Use Development Advisory Council to help compile a multi-jurisdictional maritime master plan and to promote regional development of the port resource.

**PART OF OUR
HISTORIC HERITAGE
CONTINUES TO BE AT
RISK BECAUSE OF
CONTINUING
QUALITATIVE EROSION
CAUSED BY NEGLECT,
ABANDONMENT, OR
THE INTRUSION OF
POOR DESIGN AND
INCOMPATIBLE USES.**

HISTORIC RESOURCES

INTRODUCTION

Historic structures and their settings provide continuity with the past, establish a tangible sense of place, and enhance the aesthetic environment of the county. The preservation of historic resources was an issue raised in the 1979 and 1989 master plans and is equally relevant today. Baltimore County has preserved and still retains significant historic resources. Preserving significant districts, structures, and potential archeological sites is a county goal, because the economic and social value of the built environment relies significantly on the aesthetic contributions of historic resources. Nevertheless, part of our local heritage continues to be at risk because of continuing qualitative erosion caused by neglect, abandonment, or the intrusion of poor design and incompatible uses.

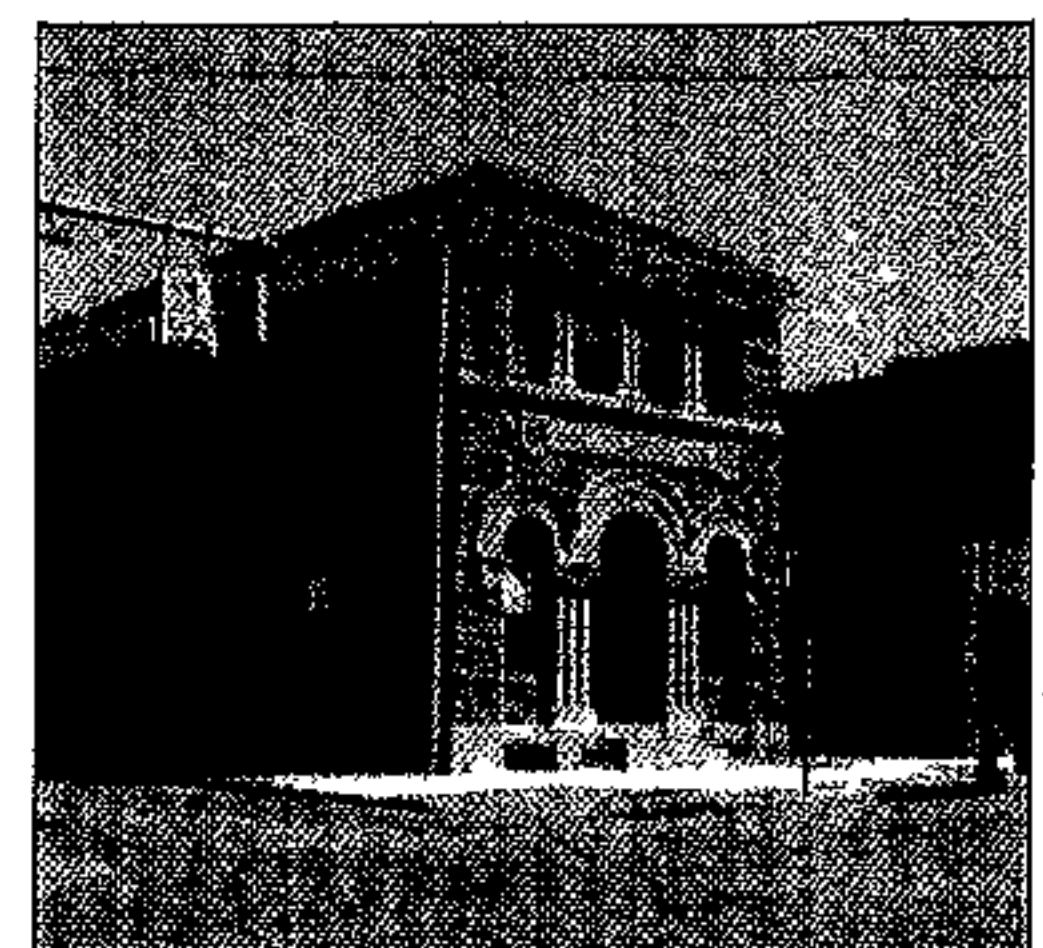
Master Plan 2010 proposes to improve upon existing efforts that safeguard the county's heritage. The county has embarked on an effort to catalogue and evaluate significant structures and sites, and to evaluate the adequacy of the local regulation governing historic resources, and these efforts should be continued. Currently, the basic types of protective historic designation are individual or district listing on the National Register of Historic Places, entry on the Baltimore County Landmarks List, or the enactment of a Baltimore County Historic District (Map 33).



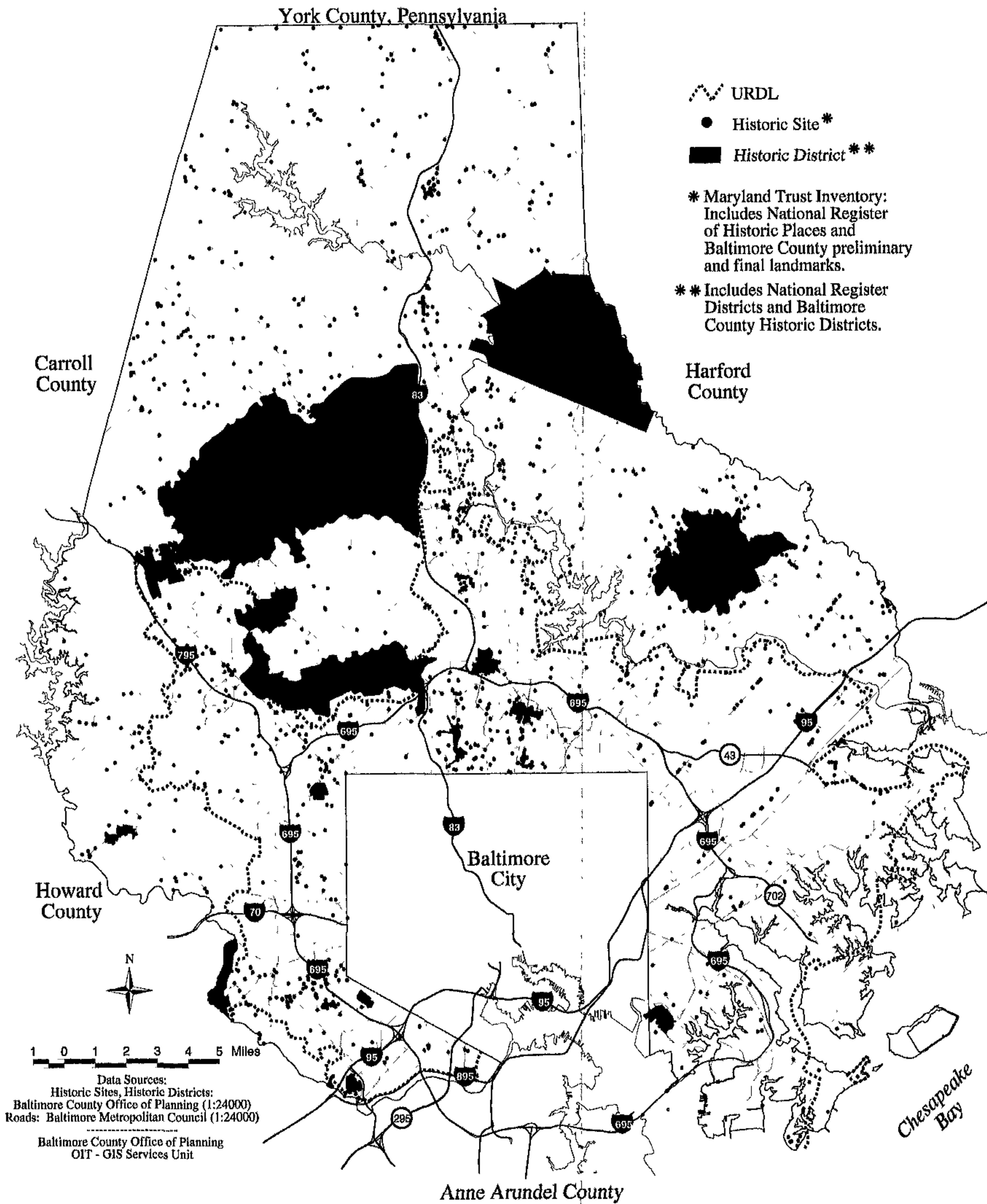
Through the 1966 Historic Preservation Act, the United States Congress created the National Register of Historic Places (NRHP). This was in response to a boom in urban renewal and highway construction that had resulted in the demolition of thousands of older buildings without any consideration of their value to the culture and heritage of the nation. The NRHP is a list of districts and individual properties protected through stringent reviews in the planning phases of federally funded projects. The listing also confers eligibility for federal tax incentives. Federal limitations do not apply to developers who do not use federal funds or incentives.

Historic properties significant to Baltimore County may also be protected by the use of the Baltimore County Districts or Landmarks Listings. The County Council, upon recommendation of the Baltimore County Landmarks Preservation Commission, enacts these county designations. Established as a part of the county government in 1976, the Commission must review and grant approval regarding exterior changes to, or the demolition of, properties on the Baltimore County Preliminary or Final Landmarks Lists. It makes advisory comments on properties that are on the National Register and Maryland Historical Trust inventory. The preliminary list is an interim stage before the final enactment by the County Council; there are 169 structures currently on the final list.

In a Baltimore County Historic District, any exterior modification or addition, as well as any excavation, building, or demolition permit is subject to approval by the Commission. Significantly, the Commission's authority within a County Historic District also includes the site surrounding and adjoining the individual structures, which may be important in maintaining the sense of historic character. Nine local historic districts have been established. Under the county code, the agreement of the owners of 75% of the property within a proposed district's boundary is required to form a local historic district.



Many historic buildings have been protected by placement on the Baltimore County Landmarks List.



MAP 33
HISTORIC DISTRICTS AND SITES

Historic preservation can provide a number of opportunities to enhance economic development and strengthen the local tax base, as well as to foster community identity and stability. The county should promote tax incentives that are available to the owners and developers of historic properties. Revised development regulations to foster cooperation between developers and preservationists are essential to improve the predictability of outcomes and streamline the development process.



POLICY

- Improve programs and procedures to preserve and maintain historic districts, structures, and their immediate surroundings.

ISSUES AND ACTIONS

To improve existing efforts that preserve county historic resources, issues that must be addressed include completing the inventory of historic sites; improving regulations to increase the effectiveness of existing protection programs; providing education about the economic benefits and social and cultural importance of our physical heritage; and facilitating the use of county, state, and federal tax credit programs.

Issue: Completing a Comprehensive Inventory of Historic Sites

Historical significance can arise from many factors and usually includes several in combination, including architectural quality; association with historic events or persons; uniqueness; or great age. "Context" is the term used to identify these geographic and/or functional relationships; it establishes the setting by which the degree of importance can be evaluated.

A full understanding of a property's importance for the community's present and future can only be achieved by knowing its place in the context of a complete inventory of all the remaining historic features in Baltimore County. A few parts of the county have already been systematically surveyed. The work performed during the past several decades on behalf of the Maryland Historical Trust (MHT) is a valuable beginning and must be completed throughout the county. A countywide inventory of historic properties will have value for guiding county agencies and communities in making informed, defensible decisions, should motivate current owners toward stewardship, and would alert prospective buyers to the consequences of owning a part of the community's heritage.



The historic importance of this home is heightened by its context within the Lutherville community.



Action

Complete a geographically and thematically comprehensive inventory of historic structures and potential historic districts.

As part of the comprehensive inventory:

- Compile criteria, using the state's Comprehensive Historic Preservation Plan, federal standards, and related sources, for defining historic contexts and evaluating the significance of individual structures, sites, and districts;
- Consider the need for re-evaluation and/or further documentation of the nearly 2,900 Baltimore County entries currently on the MHT Inventory, including the possibility of defining different degrees of significance; and
- Develop additional surveys for other portions of the county to assess more fully their historic value for economic development plans.

County, state, and federal regulations seek to achieve the common goal of ensuring that historic resources are considered when changes to a property are contemplated. In some cases, those resources are required to receive special protective measures and approvals. The inventory, analysis, and development processes that lie within county government's control need to be clarified and integrated as well as updated to incorporate published standards to guide objective decision-making.

Actions

1. Publish a user-friendly brochure that clearly differentiates the various historic designations and explains the non-regulatory and regulatory implications of each including economic incentives such as tax credits. Either in this document or in a companion brochure, explain the sequence of steps and sources of information for complying with the regulatory aspects of each historic designation.
2. The Landmarks Preservation Commission and the Planning Board should formally adopt the procedures and standards they use for reviewing historic properties.
3. Review, improve, and clarify the county's basic historic preservation legislation. The review should be coordinated closely with the comprehensive inventory, especially the concepts of degrees of significance and the regulatory effects of the different types of historic designations. It should also seek to integrate procedures for timely, non-duplicative actions by the Landmarks Preservation Commission,

*THE COUNTY WILL
REVIEW, IMPROVE,
AND CLARIFY THE
COUNTY'S BASIC
HISTORIC
PRESERVATION
LEGISLATION.*



the planning board, and other elements of the county's development-approval system. The legislation's relationship to state and federal requirements should also be considered.

4. Consider the creation of a historic planned unit development (PUD-H) process that would allow historic buildings in residential areas to be preserved through adaptive reuse.
5. Incorporate historic site locational data into the county Geographic Information System (GIS).
6. Consider reducing the threshold for property owner agreement on establishing a county historic district to the more customary 51% used by other municipalities.
7. Consider establishing more flexible permit standards for historic structures to increase their economic development potential through adaptive reuse.
8. Clarify the use of current historic preservation law regarding the renovation of historic structures and their compatibility with the neighborhood.

Issue: Providing Effective Non-Regulatory Programs

The greatest gains in historic preservation efforts are made when communities and homeowners themselves cultivate a culture of respect for the past and concern for posterity, which leads to voluntary preservation of historic resources. The county can nurture this co-operative culture by providing information and non-regulatory incentives.

Actions

1. Educate the public about the economic and social benefits of conserving and re-using historic properties, including details on available financing and technical assistance programs.
2. Evaluate the potential advantages of the following for community conservation, commercial revitalization, and rural protection areas:
 - property tax credits for the rehabilitation of historic residences and historic properties;
 - a system for transferring development rights from historic properties in commercial use to other commercial properties including planned unit developments; and
 - other innovative incentives.
3. Support Landmarks Preservation Commission efforts to provide assistance to individuals, businesses, and communities on the



The greatest gains in historic preservation efforts are made through voluntary preservation by neighborhoods or individuals.



conservation of historic resources, including creative use of funding from the Maryland Historical Trust and state and federal governments.

Issue: Historic Preservation in Commercial Areas

In commercial areas, development pressure is often severe. Because of the value of the land and the potential profit from developing a retail or office site, preserving a historic structure may not initially appear to be economically advantageous. However, there are commercial areas where historic structures provide irreplaceable character by creating a unique village atmosphere worthy of protection. Small business districts have been revitalized nationally by “main street” projects that rely heavily on historic preservation. The county should develop methods to enhance historic commercial areas.

Actions

1. Develop a program of design standards and related financial incentives for historic properties in designated commercial areas, which would apply to old and new development.
2. Consider a “transfer of development rights” program, which would separate the development potential from the historic site, thereby providing financial compensation to the owners of historic properties while still allowing development elsewhere.

HISTORICALLY AFRICAN-AMERICAN COMMUNITIES

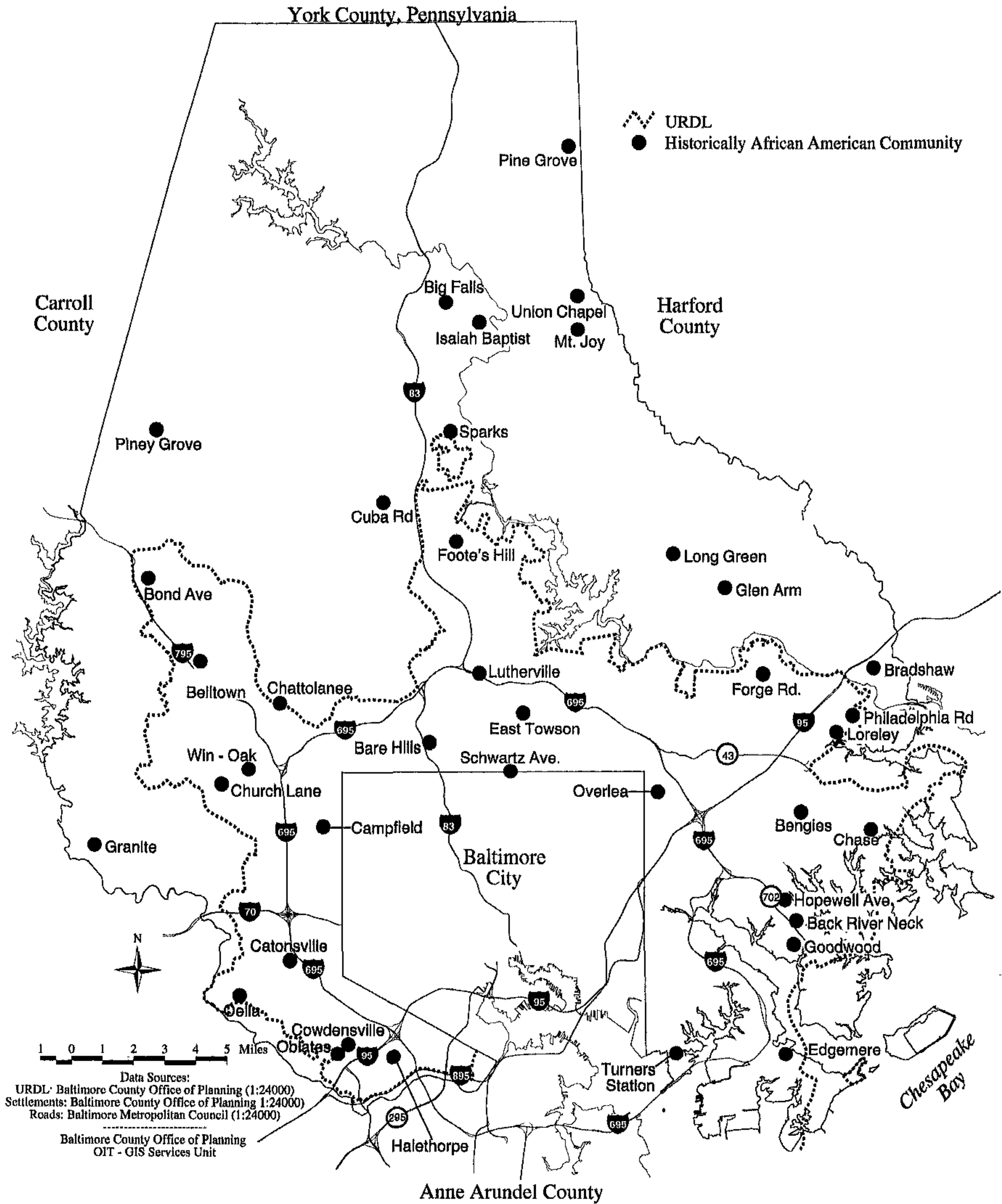
INTRODUCTION

Baltimore County contains more than 40 historically African-American communities, located within both the urban and the rural areas. Most of these independent communities are more than 100 years old, with several more than 200 years old, and at least one that is more than 300 years old. Many were established and named by freed slaves. Generations of the same families have lived in these communities, supporting institutions such as churches, schools, and fraternal halls (Map 34).

Many of these African-American communities are in need of improved public services and amenities, such as paved roads, curbs, gutters and sidewalks. Some lack safe drinking water, modern sanitary facilities or



Some of the historically African-American communities need improved public services and amenities, such as paved roads, curbs, gutters and sidewalks.



MAP 34
HISTORICALLY AFRICAN-AMERICAN COMMUNITIES



proper storm water management facilities. In many cases, the housing stock is in need of rehabilitation.

The 1979 master plan noted the existence of some of these communities and their problems. The *Baltimore County Master Plan 1989-2000* began to address the concerns of the historic African-American communities. Baltimore County has been enlisting the services and resources of government agencies in the preservation of these communities. Similarly, state and federal government agencies, as well as the private sector, have also been an integral part of preservation efforts. These efforts have included, but not been limited to the extension of public water and sewer service, road upgrades and improvements, stormwater management controls, restoration of historic buildings, and myriad community initiatives.

The development of *Baltimore County Master Plan 1989-2000* resulted in improving lines of communication between the county and these communities. This communication link brought emerging problems to the county's attention as early as possible, assisting the county and communities alike in their joint preservation efforts. *Master Plan 2010* builds upon these improvements, recognizing that Baltimore County's diversity is greatly enriched by its historically African-American communities.

POLICY

- As a top priority, continue to assist historically African-American communities in obtaining and improving basic services and infrastructure, with particular attention to upgrading residential conditions.

ISSUES AND ACTIONS

Issue: Providing Adequate Water and Sewer Service

In several historically African-American communities within the URDL, the quality of water service needs improvement, or water and sewer service needs to be provided.

Action

1. Continue cooperative work between the Department of Public Works and the communities to extend and improve water and sewer service where possible and when consistent with the Baltimore County Water and Sewer Plan.

**AS A TOP PRIORITY,
THE COUNTY WILL
CONTINUE TO ASSIST
HISTORICALLY
AFRICAN-AMERICAN
COMMUNITIES IN
OBTAINING AND
IMPROVING BASIC
SERVICES AND
INFRASTRUCTURE.**

Issue: Improving Well and Septic Systems

Many historically African-American communities contain wells and septic systems that are inadequate.



Actions

1. Support efforts to identify residences or institutions in rural areas that do not have adequate wells or septic systems.
2. Initiate public awareness campaigns to underscore the importance of well testing and well and septic system maintenance.
3. Support the establishment of a clearinghouse for information regarding well and septic standards and engineering to assist residents.

Issue: Stabilizing Historic African-American Communities

Destabilizing influences such as incompatible development, speculative home purchases and increasing assessments are a major concern among historically African-American communities.

Actions

1. Encourage community residents to monitor and participate in the review of development activity within and nearby their respective communities.
2. Continue to communicate with communities to apprise them of zoning and development information.
3. Support the formation of a clearinghouse of known public and private resources to assist in home purchases and home purchase prospects.
4. Inform communities about vacancies on boards, commissions and advisory panels.
5. Encourage dialogue between developers and communities.

Issue: Maintaining Existing Homes

Many homes in historically African-American communities are in disrepair.

Actions

1. Work with communities to develop community plans.
2. Facilitate housing seminars conducted within communities.
3. Facilitate a peer counseling system to encourage residents to participate in housing rehabilitation programs.
4. Encourage private sector involvement in housing rehabilitation and sales in communities.
5. Examine methods for planning and developing senior housing within communities.



The county will facilitate housing rehabilitation in historically African-American communities.

PART 5: THE RURAL COUNTY



INTRODUCTION

Master Plan 2010 reinforces the goal of earlier master plans to protect agricultural and sensitive environmental areas of the rural county from development encroachment.

The urban-rural demarcation line (URDL) was established to provide a boundary between urban and rural areas. Land use and zoning reinforce this concept. Rural areas are defined as areas located outside the URDL that do not have public water or sewer service. The reliance on well and septic systems drastically limits options for development, and zoning and land use reflect the associated environmental constraints.

Rural areas receive only those levels of service necessary to protect the rural land management uses and to address basic public health, safety and welfare requirements of rural residents. Infrastructure is planned not to accommodate population expansion, but simply to address existing population levels and needs. In a rural area, it is expected that roads will be narrower and traffic slower, and that homes will be located further from schools. Medical facilities, stores, and other services and amenities will be located within urban areas, and to some extent, rural commercial centers. It is not cost-effective for the county to provide increased levels of service where population density does not justify them. Providing these services would also threaten the protection and preservation of important natural resources.

There are more than 66,000 residents living in the rural portion of the county. Residential development has proceeded at a fairly steady rate in recent years with an average of 443 residential occupancy permits issued annually since 1990. Land management areas that have been established for the rural portion of the county include agricultural preservation areas, resource preservation areas, rural residential areas and rural commercial centers. Each designated area has its own unique value, and will be discussed further in the section "Land Use in Rural Areas."



Master Plan 2010 reinforces the goal to protect the agricultural and sensitive environmental areas of the rural county.



ECONOMIC DEVELOPMENT

INTRODUCTION

Economic development within the rural areas relates primarily to the agricultural industry and the commercial activities accessory to or associated with maintaining a viable agricultural industry. Other economic development interests include the commercial businesses in the rural area, particularly within the designated rural commercial centers and villages, recreation, and tourism. These economic activities are discussed in the Rural Land Management Section.

Approximately 100,000 acres or more than 25% of the land in the county is classified as agriculture use. The county's agricultural economy is diverse and contributes in excess of \$400 million annually to the county's economy. Large scale grain farming, equine operations, dairies, beef cattle and other livestock, vegetables, horticulture and specialty farms utilize approximately 78,000 acres (Table 1). The remaining lands are in commercial forests, hobby farms, and natural lands.

Table 1.
Major Agricultural Operations and
Extent of Land Cover (MDA, 1998)

Product/Activity	Acreage
Corn, grain	23,900
Wheat, oats, barley	9,500
Soybeans	16,600
Hay and silage	11,300
Vegetables	4,017
Fruits, nuts, berries	n/a
Nursery, greenhouse	n/a
Pasture	6,600



Agriculture contributes over \$400 million annually to the county's economy.

POLICY

- Recognize, foster, and promote agriculture as an economical, vital, commercial, and industrial activity that requires permanently protected productive land to function effectively.

ISSUES AND ACTIONS

Issue: Retention of Agricultural Land

First and foremost, in order to maintain agriculture in the county, productive farmland must be retained in large contiguous blocks to maintain a "critical mass" which is required by most commercial agricultural operations. To accomplish this goal, the county must maintain and strengthen multiple mechanisms that preserve farmland and foster agriculture. These include maintaining the Urban Rural Demarcation Line, increasing the permanent protection of productive lands through purchase of development rights and donation of development rights programs, and refining agricultural zoning and development controls to protect agricultural lands and to foster economic activities. Of these programs the permanent preservation of farmland is paramount. Agriculture cannot exist without a productive land base, and farmers and banks will not invest capital into agricultural operations without the certainty afforded by agricultural preservation. Landowners are also less likely to commit to long term leases with farmers or invest in important soil conservation practices. Alternatively, once the land is placed under permanent easement, a certainty exists that positively influences capital investment in agricultural operations. Other jurisdictions have used permanent easements as an attractive feature in marketing agricultural lands to agricultural capital ventures.

Tax provisions need reinforcement to continue to provide property tax incentives that maintain land in agriculture. The grain industry, which operates most efficiently on a large scale and is the largest agriculture industry on the basis of acreage (Table 1), depends on the availability of leaseable land to survive. In fact, the ratio of land leased to land owned is 3:1, with an estimated 3 acres leased to every 1 acre owned by a grain farmer. It is therefore important that owners of large amounts of productive land continue to receive tax incentives for leasing their lands to grain farmers and other legitimate farm operations.

Actions

1. Seek cooperative efforts with the University of Maryland to analyze existing agricultural industries and economic trends and continue to support agencies that supply information and services to the agricultural operators to assist in creating mechanisms that ensure the future of agriculture in the county.
2. Continue to monitor the relationship between large-scale producers and landowners who lease land.



Productive farmland must be retained in large contiguous blocks to maintain a "critical mass."



3. Investigate incentives to retain land in agricultural production.
4. Maintain and strengthen the existing agricultural land use protections through adoption of maps in this master plan that identify agricultural preservation areas where agricultural uses are given preference.
5. Evaluate implications for the agricultural industry when making decisions that affect land use in the agricultural preservation areas.
6. Strengthen the agricultural zoning and development regulations to prevent the subdivision of productive land into parcels too small to farm.
7. Target at least 80,000 acres for permanent preservation through land preservation programs.
8. Continue to fund and increase the funding as feasible for agricultural preservation programs that permanently protect productive lands.
9. Improve the existing easement programs to expedite easement purchases that ensure the protection of the best productive lands.

Issue: Maintaining and Encouraging Diverse Agricultural Operations, Promoting New Agricultural Operations, and Marketing Agricultural Products

The county's agriculture industry is diverse and maintaining that diversity is critical to retaining the industry. Diversity enables the industry as a whole to better weather adverse economic conditions much like investing in a mutual fund helps spread risk and minimize losses.

The horse industry is the largest economic agricultural industry with estimated annual gross revenues of \$350 million. Nationally, the thoroughbred horse industry is very strong, with sales and breeding fees up. These strong increases are typically linked to the quality of the track facilities, promotion, and wagering handles (purses). Maryland's thoroughbred industry is at a crossroads. The county should support state efforts to improve racing facilities, promotion, and the overall health of the thoroughbred industry.



The horse industry is the largest single economic component of the agricultural industry in Baltimore County.

Although grain farming has been very profitable because Maryland is a corn deficit state (more grain is utilized here than grown here), there may come a time when grain farming is less profitable and it becomes necessary for farmers to shift to other products. Agriculture may have to adapt by taking greater advantage of its proximity to the urban and suburban areas. In addition to commercial marketing of foodstuffs locally, farms may also need more ancillary commercial activities to allow for the sale of farm grown goods directly to citizens. Examples of these activities include fall harvest festivals, farm days, and restaurants associated with wineries.

Another example is the pilot program “Community Supported Agriculture (CSA)” being run by the Department of Recreation and Parks at Cromwell Valley Park. In a CSA, a farmer directly contracts with citizens who may contribute labor and purchase “shares” of what the farmer grows.



More emphasis must be put on the marketing of agricultural products. Farm operations will need to obtain advice and support from the Maryland Department of Agriculture, the University of Maryland Extension Service, and the county Department of Economic Development.

Actions

1. Permit ancillary activities to the farming operation that allow farmers to sell products grown on the farm directly to customers, and promote certain farms as a destination stop for tourists and visitors.
2. Ensure that county regulations provide flexibility in agricultural operations and enable them to adapt to changing economic conditions.
3. Work with the Maryland Department of Agriculture, the University of Maryland Extension Service, and the county Department of Economic Development to assist farm businesses in marketing to new local, national, and international consumers to increase their economic contribution to the county’s economy.
4. Support Farm Bureau educational activities such as “Agriculture in the Classroom” agricultural programs at Hereford Middle and High Schools, and a new mobile agricultural classroom.
5. Support the Farm Bureau program that identifies agricultural products produced in the county, which assists in the marketing of locally produced goods.
6. Promote measures that increase agricultural production.
7. Establish a program to assist young farmers in accessing capital to purchase farmland.

**EMPHASIS MUST
BE PUT ON THE
MARKETING OF
AGRICULTURAL
PRODUCTS.**

Issue: Implementing Best Management Practices

Although agricultural use of the land is clearly better for the environment than paving it for development, farmers must be good environmental stewards. Maintaining land in agriculture and natural uses is consistent with county goals and the more recent state “Smart Growth” initiatives.

Farmers must implement best management practices on all the lands they farm, whether owned or leased. They must continue to implement measures to reduce soil erosion and adopt more aggressive measures to protect the



water quality of the county's streams and groundwater. Well-managed agricultural and natural lands provide significant quality of life benefits for the citizens of Baltimore County. The county is one of the few major metropolitan counties where rural lands can be found in close proximity to the urban and suburban cores.

Action

Assist the agricultural industry in implementing soil conservation, water quality, and nutrient management plans that protect the soil and water resources of the county.

Issue: Awareness of Agriculture as a Commercial and Industrial Land Use

Regardless of the type of agricultural operation, development and agriculture do not mix well. When housing is introduced into agricultural areas, land is taken out of production and the farmer is required to find other land to offset the loss. The introduction of housing creates more vehicular traffic on the road, which interferes with farming equipment, such as tractors or large combines. Residents may complain about dust, noise, odors, and machinery operated late at night or early in the morning. They are also suspicious of chemical use and this leads to conflicts, particularly with the grain industry, which uses chemicals in association with reduced tillage conservation practices.

The best strategy to address nuisance issues is to prevent the development of subdivisions in prime agricultural areas. Right to farm laws and related regulations and policies are essential to preventing agricultural operations from being driven out of business by new residents who have moved to the county's rural areas to enjoy the open space. Baltimore County is a leader in the state with regard to its agricultural zoning. Since 1990, the county has referred agricultural zoning violation complaints to the Baltimore County Agricultural Land Preservation Board for review prior to zoning enforcement action. Ultimately, the presence of houses adjacent to fields may lead farmers to change their type of operation, and thus incur higher costs. The farmer may have to plant hay instead of grain, carry higher insurance premiums, and lease land further away. For some farm operators this may reduce profitability to the extent that they must leave the industry.

Automobile drivers, bicyclists, and joggers must also be made aware of the need to be cautious and courteous on rural roads they share with oversized

**REGARDLESS OF
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farm machinery. Farmers often have to move large, expensive machinery from farm to farm using local rural roads. In many cases their machinery actually crosses over the middle of narrow rural roads into the path of oncoming traffic. While established rural residents are aware of the machinery and the need for caution, newer rural residents are often oblivious to the equipment. Methods should be instituted to minimize conflicts among these rural road users.



Actions

1. Expand provisions to inform all potential rural homeowners of agriculture operations that may affect them.
2. Develop standards that effectively buffer residential and commercial development from agricultural uses. Buffers should be provided on the site being developed. In those cases where agricultural operations are expanding, buffers should be provided on the agricultural property.
3. Develop methods to ameliorate conflicts between farm equipment and automobile drivers, bicyclists, and joggers.

COMMUNITY SERVICES AND INFRASTRUCTURE

INTRODUCTION

Within the rural county, the dispersed nature of the population makes it cost-prohibitive to provide the same level of community services and infrastructure as in the urban area. Among some residents who have moved into the rural area from urban areas, there is sometimes the expectation that the county should be providing the same level of service. The county will continue to provide basic education and public safety services in rural areas, but these and other infrastructure services will be scaled appropriately. Some social and cultural services will only be provided in urban areas.

*THE COUNTY
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PROVIDE BASIC
EDUCATION AND
PUBLIC SAFETY
SERVICES IN RURAL
AREAS, BUT THESE
AND OTHER
INFRASTRUCTURE
ELEMENTS WILL BE
SCALED APPROPRIATELY.*

POLICIES

- Provide basic educational and public safety services; governmental services will not be provided at an urban or suburban scale.
- Continue to support rural volunteer fire companies and to provide adequate water supplies in central locations for fire suppression.



- Maintain the rural character of the existing road network.
- Provide region-serving recreational facilities and acquire greenways for active and passive recreational uses that are compatible with rural character.

FIRE PROTECTION

ISSUES AND ACTIONS

Issue: Strengthening Volunteer Fire Service

Rural volunteer fire stations are confronted with challenges that are usually not experienced in urban areas. The new, more affluent urban-oriented population moving into the rural areas brings high expectations for service, yet frequently these residents are unable to contribute time to assist in providing the service.

Actions

1. Continue to support volunteer fire companies through financial contributions, training, and technical assistance.
2. Assist volunteer fire companies with outreach and fundraising.

Issue: Providing Water for Fire Suppression

In the rural areas of Baltimore County, communities depend on “static” water sources for fire fighting activities. The ability to quickly establish and maintain effective fire streams for fire suppression has always been problematic in areas without fire hydrants. This difficulty is reflected in the differing fire insurance rates charged in these areas. Several in-ground water storage tanks have been located within rural communities, and specialized trucks that transport water have been purchased. In addition, several planning committees comprised of citizens and Fire Department personnel periodically update maps showing the location of useable water sources. Requiring new residential communities to provide either fire sprinkler systems or an approved water source would afford citizens a greater level of protection from property loss in the event of fire.

Actions

1. Work cooperatively with residents of established communities to locate or improve fire fighting water sources.
2. Ensure that new residential communities comply with appropriate requirements for rural fire protection.

*THE NEW, MORE
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RESIDENTS DO NOT
CONTRIBUTE TIME TO
ASSIST IN PROVIDING
THE SERVICE.*

3. Pursue new technology to transport and use water more efficiently in rural fire fighting efforts.
4. Encourage the agricultural community to work with the Fire Department to locate and improve water sources on farmland.
5. Continue to work with developers and builders to place large capacity (30,000 gallon) tanks strategically in rural areas. These tanks or alternatives are required by the *Baltimore County Fire Code*.



TRANSPORTATION

ISSUES AND ACTIONS

The transportation system within the rural county largely consists of a road network that was developed at a time when all of Baltimore County was rural. In keeping with the rural tradition, these roads are usually narrow two lane roads without shoulders. They have not been engineered to improve sight distance or capacity, but rather hug the natural terrain. The rural quality of the road network reinforces and contributes to the rural character of the landscape. Newer rural residential development has resulted in the creation of subdivision roads, which are frequently wider than the rural road they feed into. In addition, commuters living in neighboring jurisdictions overburden roads that were never designed for such intensive use.

Issue: Managing Traffic Increases

The county's rural areas are subject to increased traffic due to development beyond the county's jurisdiction and its location between urban areas. Increasing the capacity of the existing local road network would result in erosion of rural character and could increase development pressure. Alternate solutions to this situation should be investigated.

Actions

1. Create traffic and road standards for rural residential areas. Include road widths, site distance, speed, and lighting. Consider solutions such as roundabouts, and turn-offs for farm equipment, rather than creating wider roads. Consider appropriate standards for pedestrian and bicycle access in association with rural road design.
2. Evaluate roads that serve as major traffic conduits to areas outside of the county's jurisdiction to determine what impact this traffic has on



The traditional road network reinforces and contributes to the rural character of the landscape.



the rural area. Work with the state, surrounding communities, and the adjacent jurisdiction to develop appropriate solutions.

Issue: Providing Appropriate Pedestrian Facilities

The greatest need for pedestrian facilities is in the urban area, accessible to the majority of the county's population. In the rural area, pedestrian facilities should be provided on a limited basis within rural commercial centers and rural village developments.

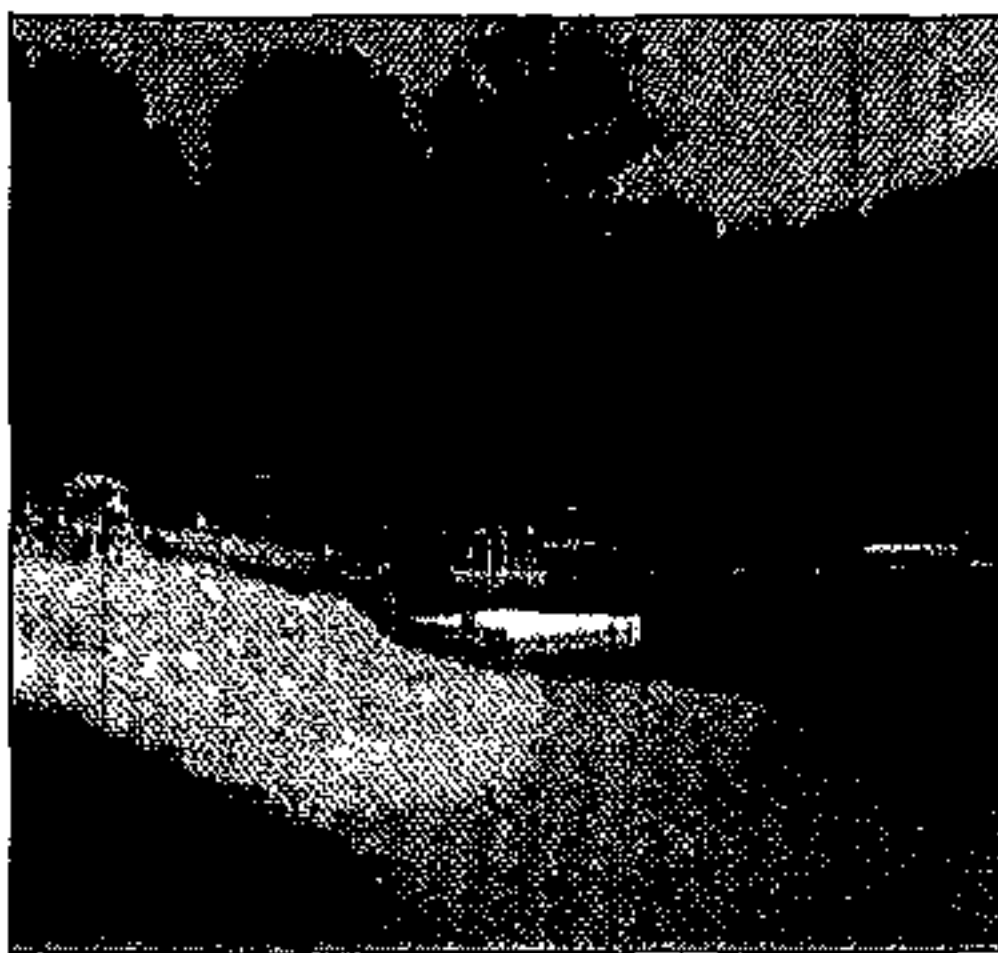
Actions

1. Incorporate rural pedestrian standards into the *Baltimore County Comprehensive Manual of Development Policies*.
2. Ensure that new commercial and village center developments provide appropriate pedestrian facilities.
3. Evaluate providing or improving pedestrian facilities at existing rural commercial centers.

RECREATION AND PARKS

ISSUES AND ACTIONS

The rural areas provide vital recreational opportunities and resources for county residents. Many of the county's major park systems are located within the rural county. State parks and facilities, such as Soldiers Delight, Patapsco Valley State Park, North Central Railroad Trail, Gunpowder Falls, and North Point provide vast tracts of land, primarily consisting of natural areas of truly unique value. County recreation and park facilities (other than those associated with school sites) include Oregon Ridge, Northwest Regional Park, Rocky Point, and Dundee Saltpeter. These parks provide a wide range of recreational opportunities for county residents. In addition, through the Metropolitan District, the reservoirs that include Liberty, Prettyboy, and Loch Raven and the forested buffers around them, which are owned by Baltimore City, provide both land and water recreational use that is governed by city regulations designed to protect drinking water quality.



The county's rural parks provide varied recreational opportunities and resources for county residents.

Issue: Providing Region-Serving Recreation

Actions

1. Acquire land within resource preservation areas for the development of compatible recreational facilities.



2. Strategically site compatible region-serving and special parks in order to meet the recreational needs of citizens in all areas of the county.
3. Continue to work with the state to expand and make better use of state parks.
4. Develop rural legacy proposals that incorporate in-fee or easement acquisitions that provide appropriate recreational benefit especially adjacent to reservoirs and the Chesapeake Bay.
5. Support and protect the cold water fisheries of Baltimore County.
6. Coordinate bicycle facilities with the state and county scenic route network.

Issue: Planning for Greenways

Greenways include 1) passive natural greenways that serve primarily as wildlife corridors and open spaces, and 2) active greenways that may include hiking, bicycling, or other recreational uses.

Actions

1. Create maps that provide distinctions between those greenways that serve as natural environmental corridors, and those greenways that may serve for active recreational use.
2. Identify potential trails, such as old railroad beds and suitable stream valleys, and acquire in fee or obtain easements for recreational use.

Issue: Developing Bicycle Facilities

Bicycle facilities in the rural areas should primarily provide recreational opportunities, although there may be opportunities to provide utilitarian options.

Actions

1. Examine rural areas for the suitability of providing county or multi-jurisdictional bicycle facilities along greenways, abandoned rail rights-of-way, or widened road lanes/shoulders. Work with bicycle clubs and other groups to identify major bicycle routes and make improvements to increase the safety and enjoyment of riding.
2. Coordinate bicycle facilities with the state and county scenic route network.
3. Adopt consistent rural design standards to ensure safety and provide a pleasurable and convenient bicycle environment.

*THE COUNTY WILL
DEVELOP BICYCLE
FACILITIES IN THE
RURAL AREA
COORDINATED WITH
THE STATE AND
COUNTY SCENIC
ROUTE NETWORK.*



NATURAL ENVIRONMENT

INTRODUCTION

The county's land management approach, which concentrates development and infrastructure in the urban area of the county, strives to protect the county's natural resources by limiting development in the remaining rural area. The county's commitment to ensuring environmental quality, protection, and management of natural resources is, however, generally the same in rural and urban areas. The emphasis in the rural area is on conservation of natural resources, in contrast to the urban area's emphasis on restoration.

POLICY

- Protect, conserve and restore all essential natural resources, with particular attention to groundwater.

ISSUES AND ACTIONS

The county's rural natural environment encompasses a wide variety of resources, including wetlands, streams, reservoirs, forests, mineral deposits, groundwater, and the Chesapeake Bay. Managing these resources involves the same issues that are discussed in the Urban County-Natural Environment section of this plan. One additional issue that is primarily a rural one is groundwater protection because the population living outside the URDL relies on well water and septic systems.

Issue: Managing Groundwater

In Baltimore County, favorable geological conditions and plentiful precipitation combine to provide a valuable supply of quality groundwater that is used for agricultural, residential, commercial, and industrial uses. About 10% of the county's population relies on groundwater as the primary source of drinking water. Approximately 30,000 wells are used to withdraw water for this use. In addition, there are currently 16 community well supplies in the county that each serve 25 or more users. The agricultural community also relies heavily on groundwater for domestic, livestock, and irrigation purposes. Industrial and commercial uses depend on groundwater to a more limited extent.

Demand for groundwater by well users occurs mainly in the northern half of the county in areas beyond the service area of the metropolitan water supply system. In order to protect the public health, it is essential to protect

GROUNDWATER PROTECTION IS AN IMPORTANT RURAL ISSUE BECAUSE THE POPULATION LIVING OUTSIDE THE URDL RELIES ON WELL WATER AND SEPTIC SYSTEMS.



groundwater resources from contamination by petroleum products, septic systems, fertilizers, pesticides, road salts, and industrial wastes. Under state regulations, the county is responsible for review of all well permits for residential, commercial and institutional construction. Standards exist to assure that all proposed drinking water wells provide a sufficient quantity of water and are below thresholds for bacterial and nitrate contamination. Proposed on-site sewage disposal systems are regulated to assure that wastes will be adequately remediated in the soil and that they are located at appropriate distances from wells.

The current standards for drinking water wells and on-site sewage disposal systems are considered to be effective in protecting public health and ground water resources. Failing septic systems occur primarily in areas that were developed prior to the establishment of these standards. In such cases, the county conducts sanitary surveys; if community health threats are documented in areas that are accessible to the metropolitan district, extension of public water and/or sewerage is provided on a long-term financing basis. In areas that cannot access the water and sewer service area, problems with private water and sewage disposal in small communities are hard to correct. Many rural areas, including the rural commercial centers of Hereford and Jacksonville, have limitations such as marginal soil conditions, small property sizes, area requirements for stormwater management, and zoning issues that impede improvements of sanitary facilities. In order to address these issues comprehensively, a mechanism such as a rural sanitary district can be established. Other groundwater contamination problems involve specific point sources of contamination, such as petroleum spills from gas stations. Federal regulations have resulted in a program whereby all service stations have replaced older tanks with new tanks that have enhanced protection and containment.

Over the past four years, the county has participated with the Maryland and U.S. Geological Surveys in the first comprehensive study of Piedmont groundwater quality in Baltimore County. Overall, ground water in rural Baltimore County was found to be of excellent quality for human consumption. No pesticides were detected above maximum contaminant levels, and 98% of all pesticides detected were at trace levels. Chloride levels in drinking water wells were found to be elevated above background levels in many wells, but were below the secondary maximum contaminant level. Road salt appears to be the primary source of elevated chloride in

*THE CURRENT
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WELLS AND ON-SITE
SEWAGE DISPOSAL
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PROTECTING PUBLIC
HEALTH AND GROUND
WATER RESOURCES.*



wells, as evidenced by higher chloride levels in wells located closer to paved roads. Most of the trace elements with known adverse health effects (arsenic, antimony, cadmium, and cyanide) were not detected. Also, no adverse impacts to water quality were observed from waste discharges from residential septic systems.

Actions

1. Evaluate the need to revise county guidelines for approval of on-site sewage disposal systems.
2. Evaluate the concept of a rural sanitary district, with appropriate legal authority, financing, and design standards, to provide a mechanism for addressing rural water supply and sewage disposal problems.
3. Continue review of development proposals to assure the proper siting of drinking water wells and the location of on-site sewage disposal systems in accordance with the *Code of Maryland Regulations*.
4. Continue implementation of the 1993 *Ground Water Management and Protection Strategy*.
5. Continue to work with agricultural sector to implement practices that protect ground water sources.
6. Continue to educate homeowners concerning the proper use of residential fertilizers and pesticides.

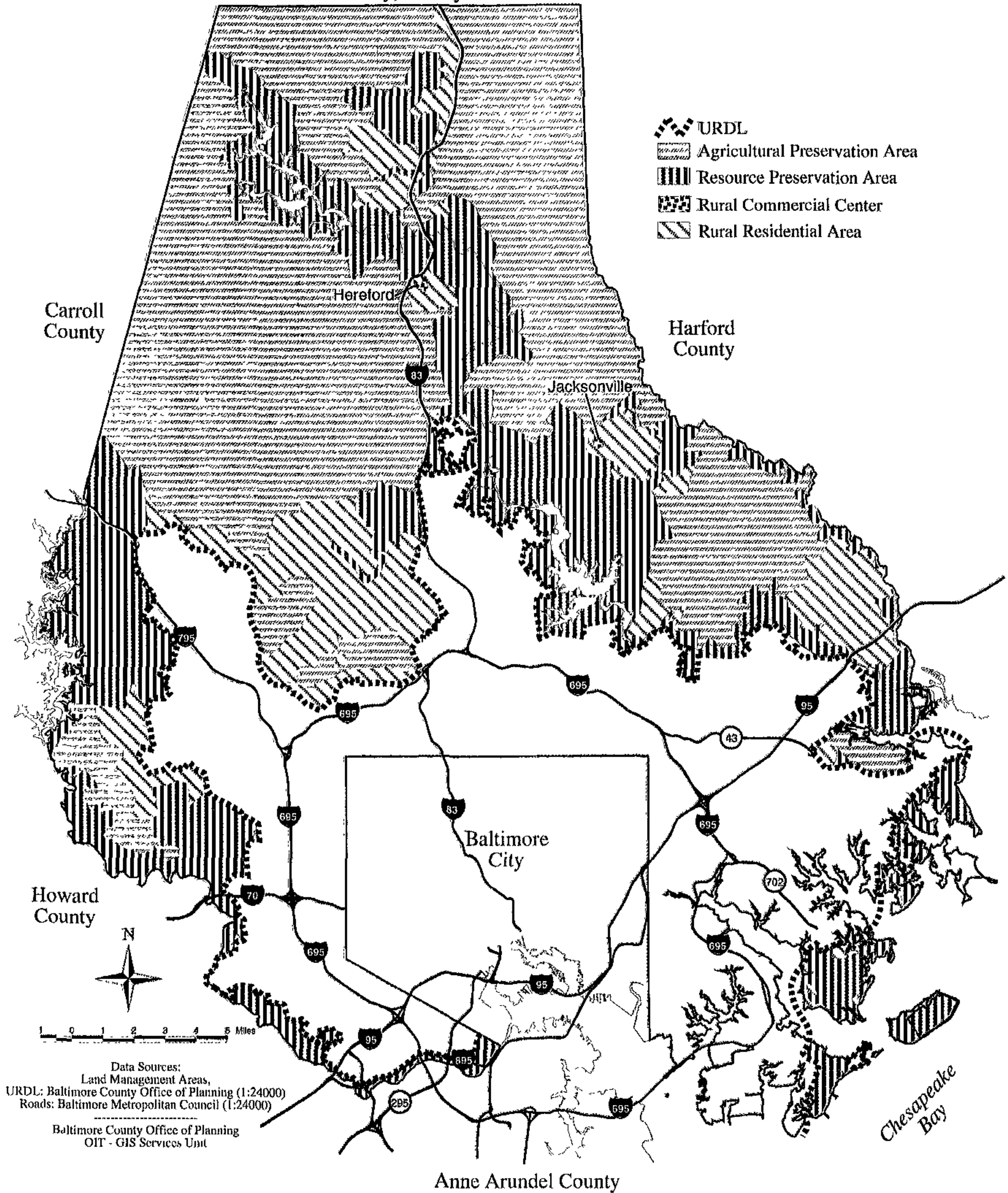
RURAL LAND MANAGEMENT

INTRODUCTION

The rural portion of the county provides the economic benefits of agriculture and the unique quality-of-life benefits of cultural, historic, waterfront, and natural environment areas. Unless carefully controlled, demand for new development in the rural areas will overburden Baltimore County's ability to provide services and facilities, harm the agricultural industry, and significantly deplete environmental and aesthetic resources. Baltimore County's land management areas have been structured to balance supply and demand for all sectors of the economy and residents. In the rural county, the land management areas are: agricultural preservation areas, resource preservation areas, rural residential areas, and rural commercial centers. Each of these areas will be discussed in this section (Map 35).

THE RURAL PORTION
OF THE COUNTY
PROVIDES THE
ECONOMIC BENEFITS
OF AGRICULTURE AND
THE UNIQUE
QUALITY-OF-LIFE
BENEFITS OF
CULTURAL, HISTORIC,
WATERFRONT, AND
NATURAL
ENVIRONMENT AREAS.

York County, Pennsylvania



MAP 35
RURAL LAND MANAGEMENT AREAS



Rural Land Management Areas use zoning as the primary tool to direct and control development. Over the duration of the master plan, parcels of land in rural areas may be subject to rezoning requests. All rezonings should be consistent with land use concepts contained in the master plan. Additional tools for directing development, discussed in the following sections, include:

Agricultural Preservation District: By voluntary agreement with the state and county, the owner of eligible productive farm or forest land can establish binding restrictions for a minimum of five years (open-ended term) to prevent, absolutely, the subdivision or development of the land for nonfarm purposes. A district agreement is a prerequisite to an easement through the Maryland Agricultural Land Preservation Program.

Land Preservation Easement: By voluntary agreement with the state, county, or private land trust, the owner of eligible productive farm, forest, historic, or natural areas can establish a permanent easement to prevent the subdivision or development of the land except as provided for by the easement agreement. Existing easement programs include the Maryland Agricultural Land Preservation Program, the Baltimore County Agricultural Land Preservation Program, the Rural Legacy Program, and various land trusts such as the Maryland Environmental Trust.

Land Trusts: Qualified conservation organizations are eligible to accept easements on land for the protection of farm, forest, historic, or natural features. A land trust must be qualified under ¶170(H)(3) of the Internal Revenue Code for a landowner to be eligible for a tax deduction. In order to apply to the Rural Legacy Program as a sponsor, a land trust must also have a cooperative agreement with the Maryland Environmental Trust.

Purchase of Development Rights (PDR): The voluntary sale of the rights to develop a property by the landowner to a governmental agency or land trust. The sale price may be determined by an appraisal, formula, or mutually agreed upon method. The land is then restricted from development and subject to the easement conditions that typically include, at a minimum, requirements for best management practices that will protect soil, water, and natural resources.

Transfer of Development Rights (TDR): The possible creation of TDRs has been discussed for some time in Baltimore County as having potential for preserving rural areas. It is a process in which the unused density permitted to be developed on a piece of land is transferred to a different parcel. The development of a TDR program involves a detailed investigation of all possible alternatives and includes participation by affected properties. The designation of “user receiving area” in either the urban or rural portion of the county is the most difficult problem to resolve.



Rural Legacy Program: The state Smart Growth legislation established the Rural Legacy Program for fiscal years 1998 through 2002. The mission of the Rural Legacy Program is to protect and preserve areas rich in agricultural, forestry, natural and cultural resources. The state has structured the program to encourage local land trusts and local governments to prepare rural legacy plans that seek to protect significant and threatened resources. Through an annual competitive selection process, a limited number of plans are selected for funding.

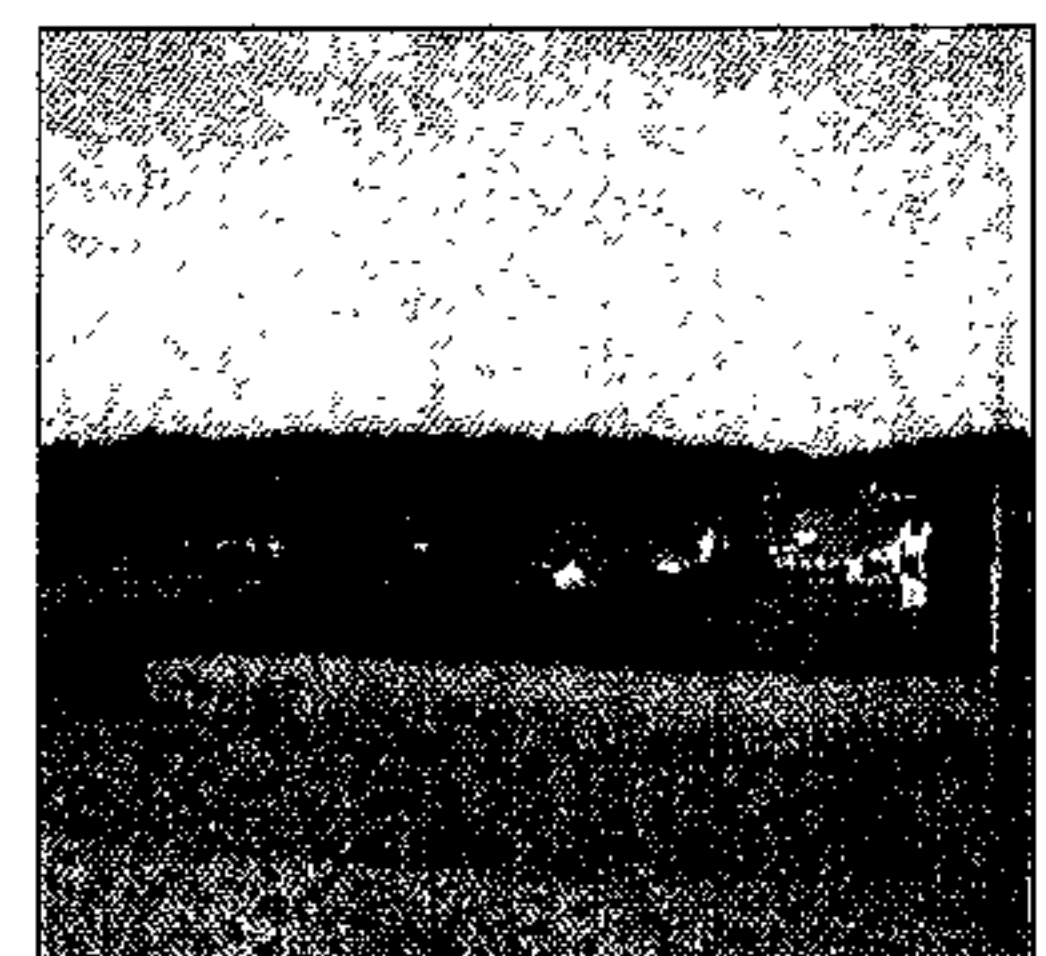
AGRICULTURAL PRESERVATION AREAS

Agricultural preservation areas were created to protect the county’s agricultural industry, as well as its natural resources, and areas of scenic and historical significance. Designated areas include:

- Caves
- Greenspring
- Upperco/Worthington/Sparks
- Patapsco/Granite
- Parkton
- Freeland/Maryland Line
- Monkton/Whitehall
- Long Green
- Bird River

The 1997 U.S. Census of Agriculture recorded 75,795 acres of farmland in the county, which represents a 9% decrease from the 1992 figure of 83,232 acres. Protecting rural resources has involved numerous efforts by the county and citizen groups. The most significant milestones are listed below.

- *Plan for the Valleys* written in 1963 by Wallace-McHarg Associates for citizens of Greenspring and Worthington valleys concerned about the impact of development in the 1950s.
- Donation in 1974 of first easement to Maryland Environmental Trust.



Agricultural preservation areas protect the county’s agricultural industry, as well as its natural, historic and scenic resources.



- Adoption in 1975 of resource conservation zones that included an agricultural zone.
- Adoption of the 1979 master plan that described the importance of protecting natural resources including agriculture, watersheds and the rural landscape.
- Use of the URDL as a planning line for the water and sewer master plan, and the creation of rural zoning classifications.
- Significant reduction of permitted density in the agricultural zone in 1980.
- Adoption and funding by the Maryland Agricultural Land Preservation Foundation of a PDR program, which provides an equitable tool for landowners permanently to protect rural lands.
- Adoption of the 1989-2000 master plan that reinforced the earlier planning and regulatory goals to protect agricultural land and rural landscapes.
- Adoption in 1989 of a development regulation to protect prime and productive soils.
- Adoption in 1994 of a local PDR program to supplement the state program.
- 1996 downzoning of 9,000 acres from RC 4 to RC 2.

POLICY

- Permanently preserve lands for agriculture and avoid conflicts with incompatible uses.

ISSUES AND ACTIONS

A successful effort to protect agricultural lands must have two strategic elements: 1) the county must have development controls to assure that agricultural resources are not developed; and 2) there must be effective permanent easement programs that meet the needs of landowners by assuring equity and preserving sufficient acreage to maintain a viable agricultural operation.

Issue: Revising Development Controls to Support Agriculture

Major subdivisions, defined as being greater than three lots, continue to occur in prime agricultural areas, threatening the viability of preserved

**PROTECTING
AGRICULTURAL LANDS
MUST HAVE TWO
STRATEGIC ELEMENTS:
1) DEVELOPMENT
CONTROLS; AND
2) PERMANENT
EASEMENT PROGRAMS.**

agricultural operations and the ability to preserve adjacent lands. The development of large institutional uses is beginning to change the landscape from one of rural character to suburban character.



Actions

1. Refine the boundaries of the agricultural preservation areas to include both adjacent farmland that should remain in agricultural use and natural buffers to reduce potential conflicts.
2. Consider designating the vegetable production areas on the eastern side of the county as agricultural preservation areas.
3. Reevaluate the zoning and development regulations applicable to these areas to determine the appropriate location and suitability of permitted uses, and to minimize the impact of even limited development on agricultural resources and farming operations.
 - Limit zoning uses to agriculture or agriculture support; other non-agriculture uses (institutions, golf courses) should be considered as special exception uses (subject to additional conditions) or as PUDs, with specific locational and functional criteria that first and foremost preserve prime and productive soils. Incorporate locational and functional criteria for house sites and lot size.
 - Include prime and productive/productivity soil standards and a maximum lot size.
 - Density should not exceed one dwelling per 50 acres. Explore ways to compensate landowners for additional density (if the underlying zoning generates higher density) through various easement or TDR programs.
 - Develop a PUD-RP (Planned Unit Development-Rural Protection) process that will allow large institutional, educational, religious, and recreational uses only through a planned unit development process. Designate areas suitable for the PUD, and create locational criteria and development standards.
4. In general, zoning changes made in the agricultural preservation area should protect the county's agricultural industry so that the area maintains its importance as an industrial base for the farming industry.
5. Consider the addition to Section 307 of the Baltimore County Zoning Regulations (special exceptions) of criteria requiring the evaluation of proposed development impacts on agricultural uses located on prime and productive soils.

*THE COUNTY WILL
REEVALUATE THE
ZONING AND
DEVELOPMENT
REGULATIONS TO
MINIMIZE THE
IMPACT OF
DEVELOPMENT ON
AGRICULTURE.*



Issue: Preserving Agricultural Land through Preservation Programs

While zoning can be used to accomplish the objectives of rural area preservation, rezoning can occur every four years, and is therefore not permanent. Ultimately, the only way in which continued agricultural use can be guaranteed is through the use of mechanisms that guarantee, regardless of zoning, that specific lands will only function as agriculture-related uses. Permanent easements provide fair compensation to landowners. Additionally, agricultural lands in private easement stay on the tax roll. Map 36 depicts Baltimore County's rural preservation program areas.

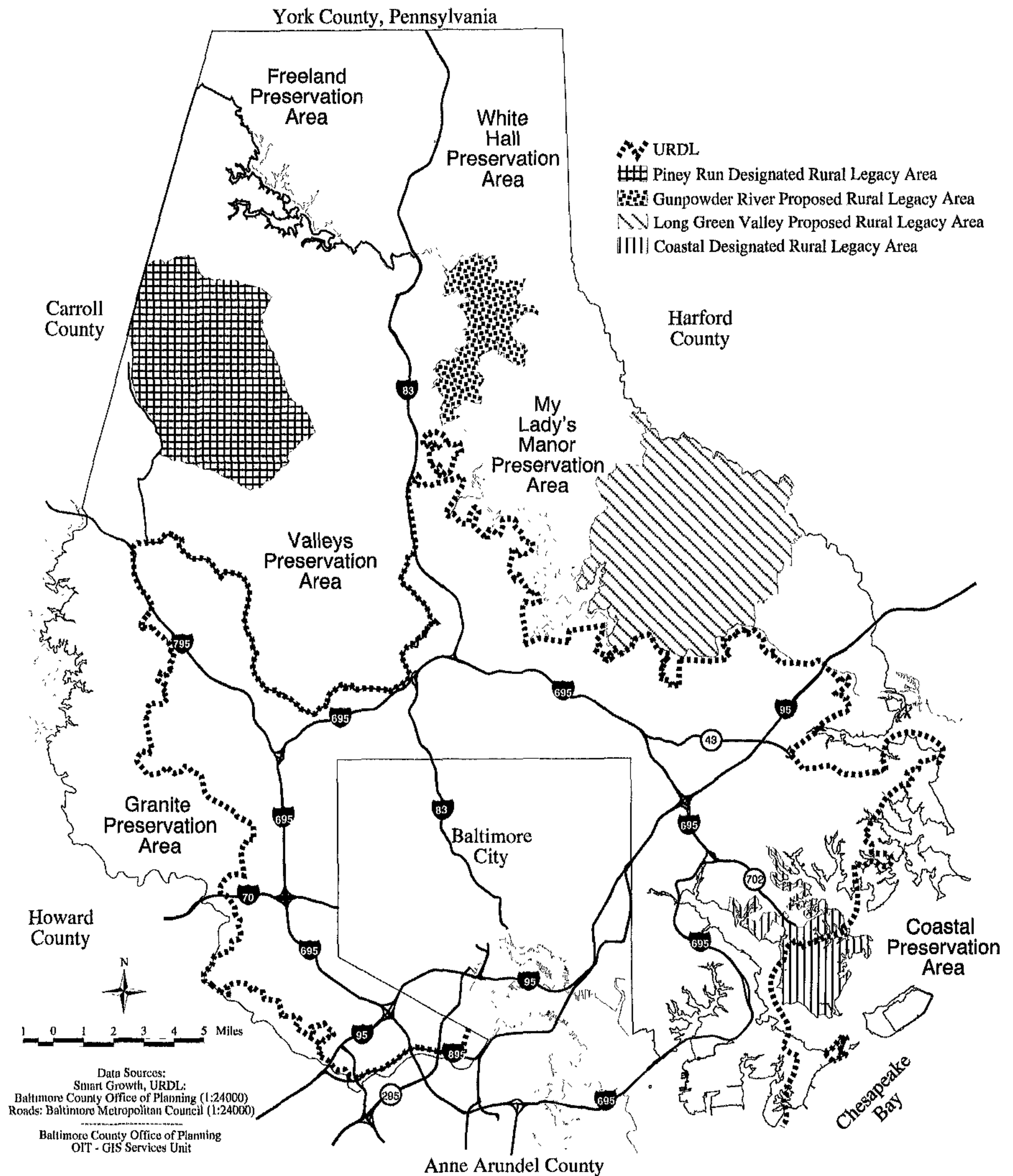
The purchase of easements, however, has not kept up with the demand of landowners willing to sell easements. This has in part been due to the economic declines the county experienced in the early 1990s but more significantly to its continued dependence on the PDRs through the Maryland Agricultural Land Preservation Foundation. The easement programs are only just keeping pace with land development.

As of January 19, 1999, 27,438 acres of farmland and rural landscape have been placed in permanent easement (Table 1). The county and state have purchased easements on approximately 500 acres per year out of the 2,000 acres that apply. Fortunately, an additional 500 acres per year has been preserved through the actions of the private sector. Landowners who make conservation donations of development rights do so through the Maryland Environmental Trust or a local land trust.

*THE ONLY WAY
IN WHICH
AGRICULTURAL USE
CAN BE GUARANTEED
IS THROUGH THE USE
OF PERMANENT
MECHANISMS SUCH
AS PRESERVATION
EASEMENTS.*

Table 1.
Accomplishments of Easement Programs through January 19, 1999

PRESERVATION PROGRAM	DISTRICT		EASEMENTS	
	number	acres	number	acres
Maryland Agricultural Land Preservation Foundation	298	27,438	118	13,000
Baltimore County Agricultural Program	N/A	N/A	6	905
Maryland Environmental Trust	N/A	N/A	151	9,728
TOTALS	298	27,438	275	23,633



MAP 36
LAND PRESERVATION PROGRAM



As indicated in Table 1, donated easements to the Maryland Environmental Trust play a key role in the permanent easement activity of the county. Baltimore County leads all other counties in the state in the number of privately donated easements. These easements represent the equivalent of millions of dollars donated to the county's easement program each year. Lands under donated easements contain more forests and streams than lands under purchased easements, but they still have, on average, 40% pasture and cropland. Private sector donors also play a role in recruiting other landowners to participate in easement programs. Five local land trusts encourage landowners to place their land in permanent preservation programs. They also hold easements in cooperation with the Maryland Environmental Trust, or outright.

Since 1982, there have been approximately 1,000 acres of agricultural land per year protected through permanent easements, and approximately 1,000 acres per year converted to nonagricultural use. If working farms continue to disappear at the current rate, there eventually will be insufficient agricultural resources available to continue to support the agricultural industry, and the rural landscape will be dramatically altered.

Actions

1. Delineate all areas to be targeted for long term preservation.
2. Actively pursue and promote easement and other programs designed to preserve agriculture.
3. Preserve 80,000 acres of agricultural land through permanent easements, either purchased or donated, and TDR programs.
4. Develop new revenue sources to support the increased funds required for farmland preservation.
5. Implement creative financing programs to increase the rate of easement purchase.
6. Provide technical support and seek input from local land trusts on preservation issues.
7. Investigate the use of a TDR program.
8. Implement rural legacy area plans.
 - Work with local land trusts to establish rural legacy boundaries, and with citizens to determine the potential level of commitment by landowners.
 - Develop partnerships with local land trusts to integrate into proposals all aspects of the county's resource protection elements such as forest buffer, Chesapeake Bay shoreline, forest habitat,

*IF WORKING FARMS
CONTINUE TO
DISAPPEAR AT THE
CURRENT RATE,
THERE EVENTUALLY
WILL BE
INSUFFICIENT
RESOURCES AVAILABLE
TO SUPPORT THE
AGRICULTURAL
INDUSTRY.*



endangered species, and the aspects of the county's planning, growth management and zoning elements that reduce sprawl.

- Provide a financial partnership with the state for rural legacy area plans.
- Investigate using a TDR program that enables the county to hold development rights purchased through the Rural Legacy Program until such time as they can be sold.
- Adopt legislation that will allow the county to use an installment payment program to purchase easements, in the same manner as authorized in the county's Agricultural Land Preservation Program. By paying in installments, more county money will be available to purchase additional easements, and obtain matching state and rural legacy funds.

RESOURCE PRESERVATION AREAS

These areas are intended to preserve and protect the historic, cultural, recreational and environmental resources, while providing for a limited amount of residential development. Designated resource preservation areas include:

- Patapsco/Granite
- Gunpowder
- Chesapeake Bay
- Soldiers Delight
- Pretty Boy Reservoir
- Liberty Reservoir
- Loch Raven Reservoir

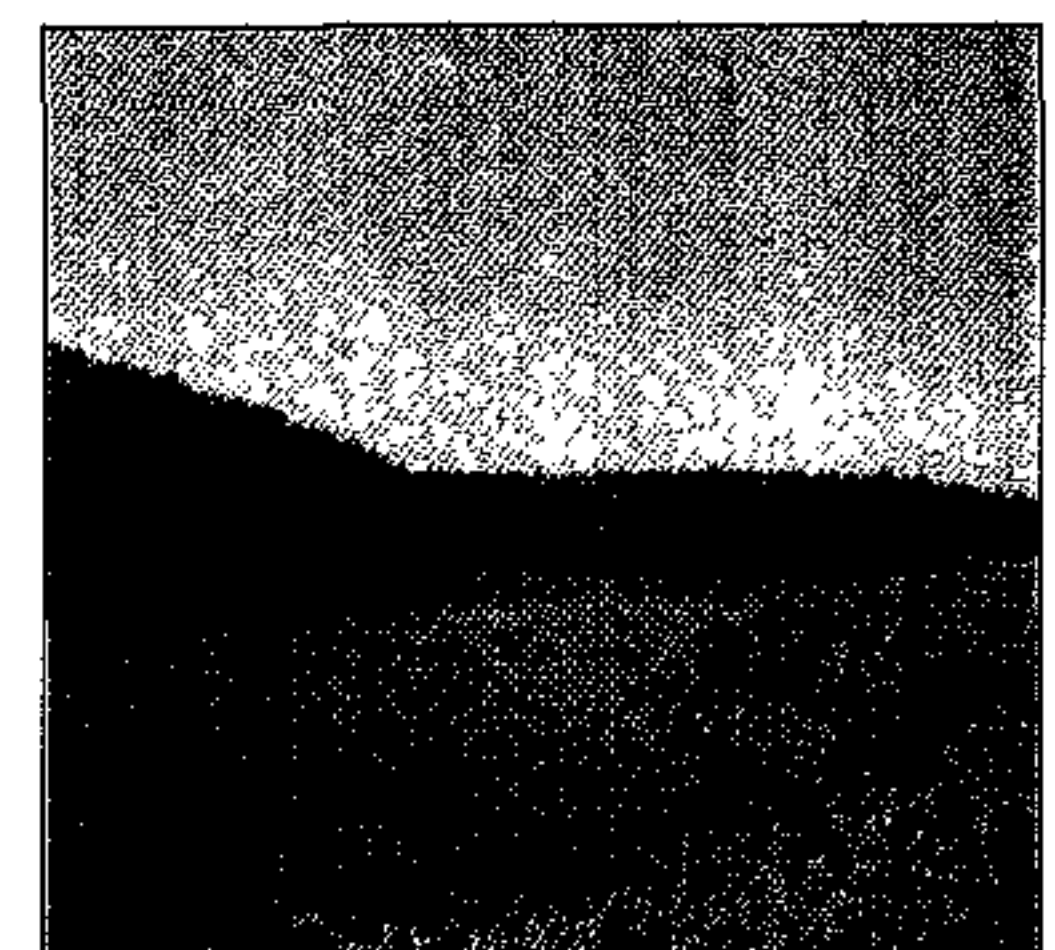
POLICY

- Preserve the county's valuable cultural, historic, recreational, and environmental resources by limiting residential development and acquiring available land for public benefit.

ISSUES AND ACTIONS

Issue: Preserving Land Designated for Resource Preservation

Resource preservation areas have historic, cultural, recreational, and environmental value to the region in general and Baltimore County in particular. These natural, environmentally-sensitive open spaces balance the intensely developed urban portion of the county. Large portions of these areas are publicly owned, such as Soldiers Delight Natural Environment Area, Gunpowder Falls State Park, Patapsco Valley State Park, North Point



Land designated as resource preservation areas contain natural, environmentally sensitive open spaces.



State Park and the Prettyboy, Liberty and Loch Raven Reservoirs. As properties within or adjacent to the boundaries of resource preservation areas become available for sale, their acquisition as easements by entities such as the MET should be given priority by the county and state.

The majority of the land area within resource preservation areas (outside of critical areas) is zoned RC 4, which permits a residential density of one dwelling unit per five acres. For example, the owner of a 100-acre undeveloped parcel zoned RC 4 currently has the right to develop 20 single family residences at the current permitted density of one dwelling unit per five acres. The county should reduce the permitted density to be more in keeping with the intent of this preservation zone. If the permitted density is reduced to one dwelling unit per 50 acres, the owner could develop only two residences. However, if an accompanying TDR program is adopted, the owner could receive equity for the remaining 18 dwelling units, with nine of them transferred to a designated area, and the other nine purchased by a land trust.

Actions

1. Pursue programs for permanent resource protection.
2. Revise the zoning regulations to rename watershed protection areas as resource preservation areas. This definition will encompass cultural, historical, recreational, and environmental resources.
3. Use the following guidelines in evaluating rezoning requests. In general, resource preservation areas are intended to support a limited amount of residential development while still protecting the county's ground and surface water quality, forest resources, and significant plant and wildlife habitats. Zoning conversions that would increase the development potential of land within this management area are inappropriate.
 - Outside of the Chesapeake Bay Critical Areas, the current combination of RC 2 and RC 4 is the best zoning mechanism for achieving the management goals of this classification. Zoning changes that would permit additional residential density or increased commercial development should not be granted. It is especially important to avoid setting precedents that could lead to future upzoning by producing a change in the area's rural character.
 - The RC 20 and RC 50 zones in the Chesapeake Bay Critical Area provide the best protection for these environmentally sensitive areas.



Resource preservation areas are intended to support only a limited amount of residential development.



Changes in zoning that would adversely affect the natural resources of the bay would be subject to possible disapproval by the Chesapeake Bay Critical Area Commission and should not be granted. All zoning in the Chesapeake Bay Critical Area should foster stewardship of the bay by providing the most appropriate land use, should ensure that impacts of development activity are minimized, and should preserve quality of life in surrounding communities.

- Requests for zoning changes that increase development densities in the Loch Raven, Prettyboy, and Liberty drainage areas should not be granted, in accordance with the county's commitments in 1984 and 1990 to the cooperative, regional Reservoir Watershed Management Agreement. Additionally, any zoning changes should be consistent with any applicable watershed study.
4. Complete detailed studies to determine the existing and potential residential densities in resource preservation areas.
 5. Limit residential densities to one dwelling unit per 25-50 acres. As part of the reduction of residential density, consider the use of TDRs to permit half of the allowable net density of a site in a resource preservation area to be utilized in a rural residential area, rural commercial center, or other designated area, with the remaining density purchased through a PDR program.
 6. Develop a PUD-RP process that will allow large institutional, educational, religious, and recreational uses only through a planned unit development process. Create locational criteria and development standards.
 7. Establish resource preservation area watershed priorities in order to upgrade environmental systems that have become degraded.
 8. Delineate and coordinate the public use of resource preservation areas for added recreational benefits.
 9. Develop and assist private organizations that enhance the public nature of, and care for, resource preservation areas.

*THE COUNTY
WILL CONSIDER
USING TDR'S TO
LIMIT RESIDENTIAL
DENSITIES IN RESOURCE
PRESERVATION AREAS.*

RURAL RESIDENTIAL AREAS

The rural residential areas are a mix of single family residential development and woodlands, farm fields, stream valleys and areas of significant historic and cultural value. They have accommodated the bulk of new residential



development in the rural areas. Included in the rural residential land management areas are:

- Freeland
- Patapsco/Granite
- Kingsville
- Chestnut Ridge
- Hereford
- Jacksonville

POLICIES

- Limit new residential growth.
- Protect and maintain the area's rural character.

ISSUES AND ACTIONS

Issue: Limiting Suburban Development in Rural Areas

The 1979 growth management program designated rural residential areas as suitable for development. The 1989 master plan recognized some of the issues created by this choice. The majority of the land within these areas is zoned RC 5. The intensity of this development is a suburban residential development pattern with densities equal to one dwelling unit per 1-1/2 acres. Because this rural-suburban residential development is dependent upon well and septic services, the development pattern takes on a haphazard appearance and consumes large quantities of land. This type of development is in great demand, but it comes at a tremendous cost to the county in terms of traffic, increased infrastructure demands, and the disruption of the area's rural character. These demands on county resources directly compete with the needs of the established, urban areas of the county.



Rural residential development is in great demand, but it comes at a tremendous cost to the county.

Actions

1. Conduct thorough and detailed land use studies to determine: 1) buildable areas, 2) agricultural areas, 3) environmentally sensitive areas, and 4) appropriate areas for future rural village type development (see below).
2. Deny rezoning requests for additional office, business or industrial zoning in rural residential areas, unless recommended in an approved plan.
3. While maintaining some residential development density, consider developing a mechanism to allow building within these areas only if development rights are obtained through a TDR from an agricultural preservation area or a resource preservation area. Natural constraints that reduce buildout would not be affected.



4. Develop and adopt county standards appropriate for rural residential areas that include roads, open space, architecture, site layout, lighting, bicycles, and pedestrians.
5. Consider adapting cluster principles to maintain adjacent forests and open space, which help retain rural character.
6. Develop a PUD-RP process that will allow large institutional, educational, religious, and recreational uses only through a planned development process. Create locational criteria and development standards.
7. Provide effective buffers between development projects as required to maintain rural character.

Issue: Investigating a Rural Village Concept

The rural village concept should be investigated as a way to accommodate rural residential development in Baltimore County in a manner that is less intrusive to the rural character than current rural residential development patterns. This concept should be thoroughly studied to ensure that overall density is not increased. The present RC 5 and RC 4 cluster residential development zones were improvements over the pre-1976 (one house per acre) rural zoning; however, even this type of development is not in keeping with the rural character. In fact, most RC 4 and RC 5 development has met with increased opposition.

The rural village concept is a method of accommodating in rural areas residential and commercial development that is strictly limited in area, and compatible with the rural character. It concentrates small pockets of development, with a consistent rural scale and appearance, in specific locations so that larger agricultural or environmentally sensitive areas can be preserved. A mix of housing types and lot sizes is provided. Buffers, preserved in an easement program, surround the villages to prevent conflict with adjacent agricultural uses. The rural village concept should have specific design standards for all elements ranging from site selection and layout to building appearance.

Two essential elements of the regulating mechanisms that need to be developed for a rural village concept are: 1) a properly drafted code, which spells out rules and procedures to produce desired results; and 2) illustrated examples to enable the reader to “see” the code as it comes to life on the landscape. The design principles must be adapted to the realities of modern

*THE RURAL
VILLAGE CONCEPT
CONCENTRATES
RURAL DEVELOPMENT
IN SMALL POCKETS,
PRESERVING LARGER
AGRICULTURAL AND
ENVIRONMENTALLY
SENSITIVE AREAS.*



life, primarily the importance of the automobile, but in a way that does not cede total control to the automobile. Locational factors such as proximity to existing schools and roads should be considered. The economic and environmental feasibility of providing water and sewage service on site also must be addressed for any village development.

Actions

1. Investigate the feasibility of a rural village concept based on the following:
 - Map potential locations for rural villages within rural residential areas and rural commercial centers to minimize impact on agriculture and resource preservation areas.
 - Locate villages within proximity of adequate roads.
 - Create appropriate design standards.
 - Provide buffers between rural villages and agricultural uses.
 - Rural villages should not be located close to one another.
 - Set limits on the amount of density, and determine the appropriate mix of land uses for each rural village.
2. Determine the economic and environmental feasibility of providing water and sewage systems required for a rural village.
3. Investigate using the rural village as a receiving area for a TDR program, transferring density from an agricultural or resource preservation area.
4. Apply the program on a limited basis as a test case and evaluate its merits for rural preservation.
5. Allow rural village development as a PUD; however, this would be an optional, not mandated, approach.



Hereford is one of the two designated rural commercial centers.

RURAL COMMERCIAL CENTERS

Only two designated rural commercial centers will continue to provide local services and facilities for the surrounding rural area. They are:

- Hereford
- Jacksonville

POLICY

- The nature, size, and scale of rural commercial centers should remain geographically small, rural in character, and be regulated through a master plan process.

ISSUES AND ACTIONS**Issue: Managing Growth in Rural Commercial Centers**

The two rural commercial centers contain a certain mass of retail and office service uses that should not be spread or repeated throughout the rural areas. These areas will continue to be the only locations within the rural area where such services will be concentrated. The size, scale, and quality of development have been a continuing issue in these centers. In addition, the ultimate buildout limits of these areas needs to be considered. These areas may also be suitable as places to transfer development rights removed from agricultural preservation or resource preservation areas.

Actions

1. Manage growth and development through the adoption of specific rural commercial center master plans that are regularly updated. The master planning process should determine the ultimate boundaries and buildout of these areas.
2. Undertake detailed studies to determine the appropriateness and capacity of these areas to receive TDRs, both commercial and residential. Any expansion of these areas should conform to a rural village concept.
3. Develop overlay districts or specific zoning classifications with design performance criteria that would be unique to each of the centers so issues such as use, size, scale and design are addressed. These centers have unique characteristics that should be enhanced by new development.
4. Adopt development performance guidelines and standards to ensure design quality, appropriate scale of uses, natural resource protection, appropriate buffers adjacent to agricultural uses, adequate open space close to homes, and pedestrian accessibility.
5. Provide infrastructure support such as stormwater management.
6. Develop a PUD-RP process that will allow large institutional, educational, religious, and recreational uses only through a planned development process. Create locational criteria and development standards.
7. Provide adequate buffers and transitions between commercial projects and differing adjacent land uses to maintain rural character.

**MANAGEMENT OF
THE GROWTH AND
DEVELOPMENT IN
THE RURAL
COMMERCIAL
CENTERS WILL BE
BASED ON SPECIFIC
MASTER PLANS.**



HISTORIC RESOURCES

INTRODUCTION

Rural areas present special challenges for conserving historic resources. In urban locations, adequate protection for historic structures can usually be achieved by being attentive to the quality of design on the few acres of the structure's own site or perhaps on immediately adjoining property. Contiguous areas with a high concentration of significant structures (such as Lutherville, Glyndon, and Sudbrook Park) can be treated as a designated historic district, but even these have typically covered less than 300 acres.

In rural areas, structures usually derive their historic significance from their relation to the area's primary economic activity, agriculture, or to its ancillary elements such as mills, churches, or villages. There will typically be a cluster of functionally and visually related structures (dwelling, barn, springhouse, and other outbuildings) set in a bucolic landscape of fields, streams and woodlands. Thus, while the historic "setting" may be only a few acres for an individual structure in an urban area, or several hundred for an urban or suburban district, a rural historic district can encompass thousands of contiguous acres. Already in Baltimore County there are six separate National Register Historic Districts ranging from 1,500 acres (Caves Valley) to nearly 10,000 acres (Western Run-Belfast).

POLICY

- Conserve visually-integrated rural historic landscapes so that viewers can appreciate the enticing qualities of continuing rural uses, or of a bygone agricultural era, while still allowing reasonable use of privately-owned land.

Issue: Coordinating Historic Preservation Activities with the County's Rural Strategy

It is more than coincidence that the county's historic rural areas, including Worthington Valley, My Lady's Manor, Green Spring Valley, and Long Green Valley, continue to be among its most desired places to dwell. The visual appeal of their relatively undisturbed agricultural appearance is uniquely satisfying, but that visual character is also especially fragile. New construction can be visible for miles; even a single inappropriately designed or sited new dwelling can dramatically alter the perceived sense of rural



Some of the county's rural historic districts encompass thousands of acres.

character. To the extent that other elements of this master plan's rural strategy succeed in preserving land for agriculture and other rural uses, these landscapes can also be protected, through proper coordination.



Actions

1. Complete the comprehensive countywide inventory of historic resources, giving particular attention to documenting historic resources that not only meet cultural-history qualifications but also retain sufficient visual integrity to qualify as potential historic districts.
2. Protect off-site "viewsheds" in designated historic areas, including revisions to the development process.
3. Coordinate scenic route designation and design standards with rural historic landscape protection.
4. Integrate rural landscape protection with the designation and implementation of heritage areas and rural legacy areas.

SCENIC RESOURCES

INTRODUCTION

The county's scenic resources consist of scenic corridors, scenic views, and gateways. Most of the county's scenic corridors and views are located in rural areas. Gateways can occur within either urban or rural areas, and in fact, frequently occur at the boundary between urban and rural areas (Map 37).

POLICY

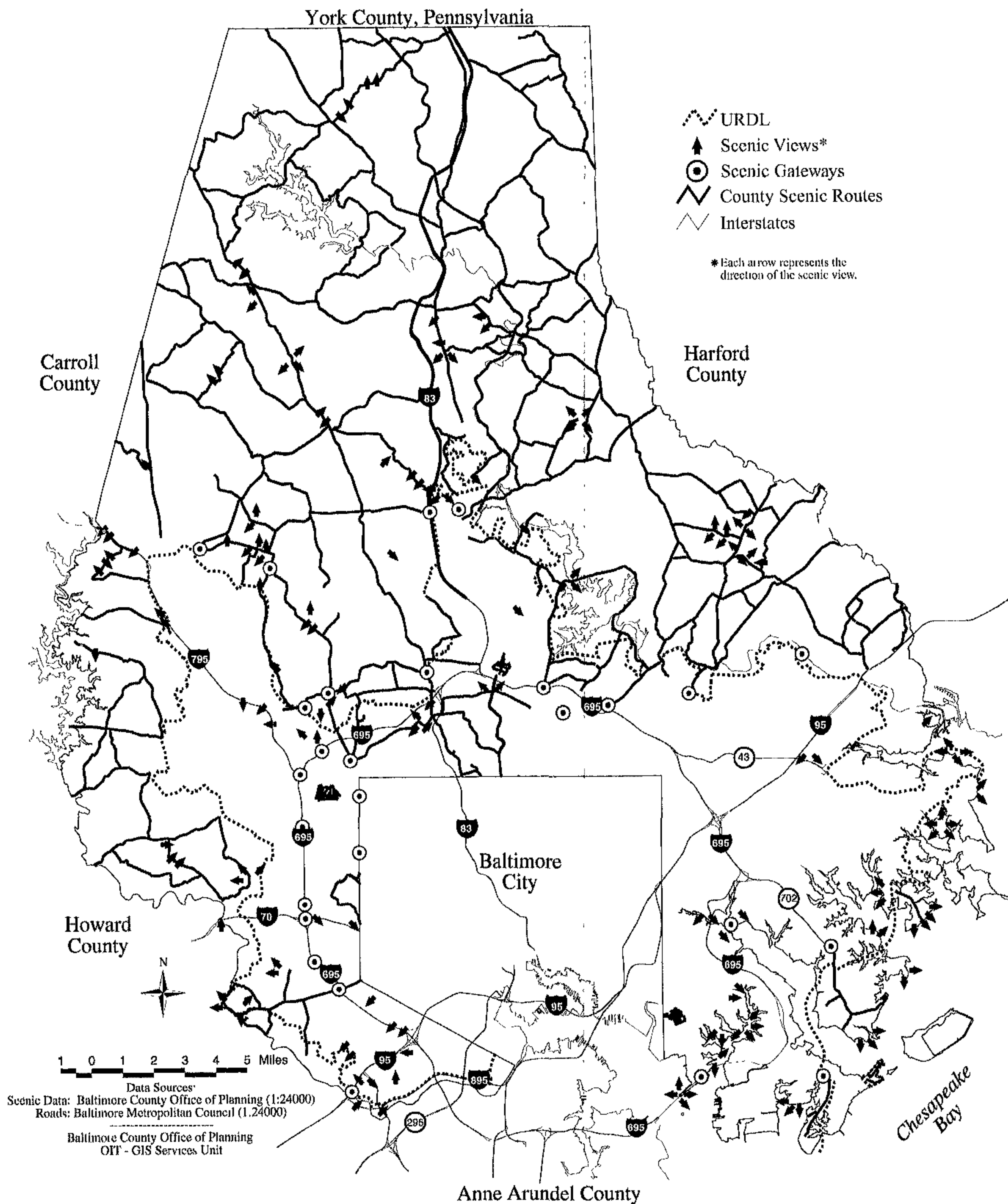
- Preserve and enhance the county's significant scenic resources as designated on the scenic resources map, including scenic corridors, scenic views and gateways, as an essential component contributing to the county's quality of life.

Issue: Preserving Scenic Corridors and Views

The *Baltimore County Master Plan 1989-2000* depicted scenic routes and views on the development policy maps, taking the first steps toward recognizing and identifying the distinctive visual elements that make Baltimore County so desirable to residents and attractive to visitors. The scenic views depicted do not represent a comprehensive county inventory,



The majority of the county's scenic resources are located in the rural area.



MAP 37
SCENIC RESOURCES



but rather a beginning that must be built upon. Following the adoption of the 1989 master plan, the county produced a series of scenic route maps for each councilmanic district that combined the significant visual and historical elements into self-guided scenic tours. In 1991, the county adopted a set of development guidelines to begin the process of protecting the county's scenic resources. These advisory guidelines have helped to raise the level of awareness and have recommended development alternatives that are sensitive to scenic issues, but they cannot assure complete protection of the county's visual resources.

The Maryland State Highway Administration is currently undertaking a statewide evaluation of its designated scenic routes. The National Byways Program, created through the "Intermodal Surface Transportation Efficiency Act" (ISTEA) provided the impetus, and some of the funding, for this endeavor. This program is continued in the Transportation Equity Act for the 21st century (TEA 21), 1998. The National Byways program can be used at the local level to assist in a variety of scenic preservation activities, including conducting scenic corridor management studies, which are required for nomination to National Byway status. Once a road is designated a National Byway, grants for preservation, enhancement, and interpretive activities can be sought.

Actions

1. Prepare corridor plans that specify management techniques for scenic resources.
 - Coordinate scenic resource identification and management practices with the Maryland State Scenic Byways Program and the National Road Program.
 - Establish criteria for inclusion and define levels of preservation or enhancement activities. Areas where significant public dollars for easements have already been spent should be identified and analyzed for scenic value.
 - Involve community organizations in the identification of scenic resources and planning for their preservation. Local public support for preservation activities is required for participating in federal programs.
2. Evaluate proposed improvements to state and county roads, bridges, and other infrastructure for their impact on scenic resources. Where public safety allows, the narrow and/or winding character of the road is part of the scenic experience and should be preserved.

*THE COUNTY WILL
PREPARE CORRIDOR
PLANS THAT SPECIFY
MANAGEMENT
TECHNIQUES FOR
SCENIC RESOURCES.*



3. Promote the county's scenic resources and encourage county residents to value them.
 - Frequently, scenic resources are intrinsically linked to historic and cultural resources. Promote activities that preserve these historic and cultural resources to aid in protecting scenic quality.
 - In conjunction with the county's tourism initiatives, revise the scenic route maps and include self-guided tours of significant scenic resources.
 - Consider a coordinated and nationally recognized and approved sign system of markers and plaques to identify and provide interpretation of scenic and historic resources.

Issue: Development in Gateway Areas

A gateway refers to the location where the area surrounding a transportation corridor clearly changes. Gateways are important elements of the county's visual fabric, contributing to the sense of the transition between urban and rural development and to community identity. Examples of urban/rural gateways include the entry to the Cromwell Valley from Towson north of the Beltway, and crossing the ridge northbound on I-83 past Shawan Road. Other existing gateways include crossing the Back River Bridge into Essex, and exiting from the Beltway into Towson.

The specific design treatment of development in these visually sensitive gateway area localities will vary greatly. The basic objective should be to emphasize the transitional character of the gateway, by strengthening the sense of arrival and/or unifying the distinctive character of each side. In some locations, it may be desirable to create gateways as a community conservation measure that promotes the identity of a particular community.

Actions

1. Identify additional gateways and formulate appropriate design guidelines as part of local community plans and streetscape projects. Provide general guidelines in the *Comprehensive Manual of Development Policies*.
2. For designated gateways, examine the design aspects of proposed development as part of the development review process.



This entry into Towson from the beltway is an example of a gateway.

PART 6: IMPLEMENTING THE MASTER PLAN



INTRODUCTION

County government, alone, cannot address every action called for in the master plan. Only through teamwork, in partnership with citizens, community associations, businesses, institutions, state and federal government agencies and surrounding jurisdictions, will success be achieved. Partnerships bring people together in working relationships that can reach solutions cooperatively, and can break down any barriers of mistrust and prejudice. Communication and teamwork are essential to implementing the master plan. Not all of the actions in *Master Plan 2010* can be undertaken at once; priorities must be selected based upon on-going assessments of cost-effectiveness, feasibility, need, and performance.

The county will use four major tools to achieve the actions provided in the master plan:

- community planning
- regulations
- advisory guidelines
- funding

Elected officials, county agencies, and the public can use these tools when participating in advisory groups, boards and commissions, or volunteerism. Achieving master plan actions will usually involve a combination of tools and participants. This section will describe each of the major tools and recommend actions and guidelines for their effective use in implementing the master plan.

**COMMUNICATION
AND TEAMWORK ARE
ESSENTIAL TO
IMPLEMENTING THE
MASTER PLAN.**

COMMUNITY PLANNING

The master plan provides the framework for developing community plans which contain detailed recommendations to improve specific areas of the county. Community plans are based on information collected about a specific community and are prepared in consultation with residents, landowners, local business representatives, and county staff (Map 38).



Given the size and complexity of the county, planning at the community level is effective in meeting the needs of the local population, in addition to achieving countywide goals. The county currently focuses many of its efforts at the community level, and citizens are demanding more services of this type. *Master Plan 2010* promotes the expansion of the county's existing community planning program to meet this demand.



As of May 1999, a total of 26 community and local action plans have been adopted as amendments to the master plan. There are six plans in progress, and eight more are proposed. When all are completed, the majority of the county's urban residential areas will be part of a community plan. Ideally every community within the county should eventually be part of a community plan. (Brief descriptions of the adopted community plans are included in Appendix B.)

Community planning has traditionally been limited to the development of physical land use plans. The 1995 creation of the Office of Community Conservation marked a new direction in organizing operations and services around communities. This type of orientation requires interdepartmental teamwork and fosters the creative development of solutions to address community issues. The Police Department has redirected many of its efforts through the community policing program. The Department of Economic Development is also producing area-specific economic revitalization plans to improve job and business opportunities. Like the master plan, community planning will evolve to become more comprehensive in scope, addressing social and economic issues that are intertwined with land use issues.

Actions

1. Provide coordinated, multi-agency support and technical assistance for developing community plans.
2. Ensure that community plans are consistent with overall county goals as expressed in the master plan and other countywide policy documents. Unite community plans with the county's goals for public safety, education, economic development, community conservation, recreation and parks, environmental protection, transportation, land use and related topics.
3. Include the following data and analysis in community plans, where appropriate:



Community plans prepared cooperatively by neighborhood representatives, business groups, and county staff focus on specific issues.



- historical development pattern
 - population characteristics
 - vehicular travel forecasts to evaluate land use impacts on the transportation system, incorporating functional transportation classifications that link land use decisions to existing and planned infrastructure, and plans and information concerning transit, bicycle, and pedestrian needs
 - infrastructure needs, priority and cost estimates
 - housing surveys and analysis of housing conditions
 - inventory of potential redevelopment opportunities
 - evaluation of housing marketability as part of the regional market
 - identification of opportunities for additional open space, natural areas, and public squares
 - recommended land uses for undeveloped areas and infill sites
4. Use community plans to recommend land use controls modifications, such as by adopting overlay-districts or design guidelines, to achieve specific goals within each community.
 5. Use efficient and effective community planning management techniques including:
 - Adjacent commercial and industrial uses within community plans, recognizing their close relationship to the residents as both their customers and neighbors. Involve business owners and representatives in the process.
 - Use the Geographic Information System to gather, analyze, and display information.
 - Foster teamwork in developing plans and encourage local architects, attorneys and other experts to provide technical assistance. Ensure the involvement of all interested members of the community.
 - Provide regular community training and education programs with emphasis on plan development.

COMMUNITY PLANS
MAY RECOMMEND
SPECIFIC LAND USE
CONTROLS, SUCH AS
DESIGN GUIDELINES,
TO ACHIEVE THE
COMMUNITY'S GOALS.

MASTER PLAN COMMUNITIES

As of May 1999, a total of 26 community and local area plans have been adopted as amendments to the 1989 Master Plan; these shall remain in effect as part of *Master Plan 2010*.

ADOPTED PLANS

COUNTY COUNCIL ADOPTION



<i>Bowleys Quarters Community Action Plan</i>	11/02/92
<i>The Catonsville Plan</i>	10/07/91
<i>Eastern Baltimore County Revitalization Strategy</i>	07/01/96
<i>Essex CBD Revitalization Strategy</i>	12/16/91
<i>A Community Conservation Plan for Essex/Middle River</i>	07/01/96
<i>Hanover Pike Corridor Study</i>	04/19/93
<i>Hereford Community Plan</i>	05/06/91
<i>The Honeygo Plan</i>	07/05/94
<i>Hunt Valley/Timonium Master Plan</i>	10/19/98
<i>Kingsville Area Community Plan</i>	07/01/96
<i>Liberty Road Revitalization Area</i>	10/07/91
<i>Loch Raven Village Community Conservation Plan</i>	04/06/92
<i>Lower Back River Neck Community Action Plan</i>	10/18/93
<i>A Community Conservation Plan for Lutherville</i>	02/20/96
<i>Owings Mills Park and Open Space Concept Plan</i>	05/15/95
<i>Patapsco/Granite Area Community Plan</i>	12/21/98
<i>Patapsco Park and Open Space Concept Plan</i>	04/20/92
<i>Philadelphia Road Corridor Study</i>	01/21/92
<i>Pikesville Revitalization Plan</i>	10/07/91
<i>Ralston Community Plan</i>	10/05/98
<i>Southeast Towson Community Plan</i>	10/19/98
<i>Southwest Baltimore County Revitalization Strategy</i>	12/15/97
<i>Sudbrook Park Community Plan</i>	04/05/99
<i>Towson Community Plan</i>	02/03/92
<i>Windlass Run/Bird River Road Area Community Plan</i>	01/04/99
<i>Woodlawn/Liberty Community Plan</i>	05/17/93

PLANS IN PROGRESS

Greater Arbutus Community Plan	Jacksonville Community Plan
Greater Dundalk Community Conservation Plan	Lansdowne-Baltimore Highlands Plan
Greater Hillendale Community Plan	Lochearn Community Plan
Greater Jacksonville Land Use Plan	Parkville Community Plan
Greenspring/East Pikesville Community Plan	

PROPOSED PLANS

Chase	Randallstown
Edgemere	Reisterstown/Glyndon Plan
Overlea	West Timonium Heights Community



REGULATIONS

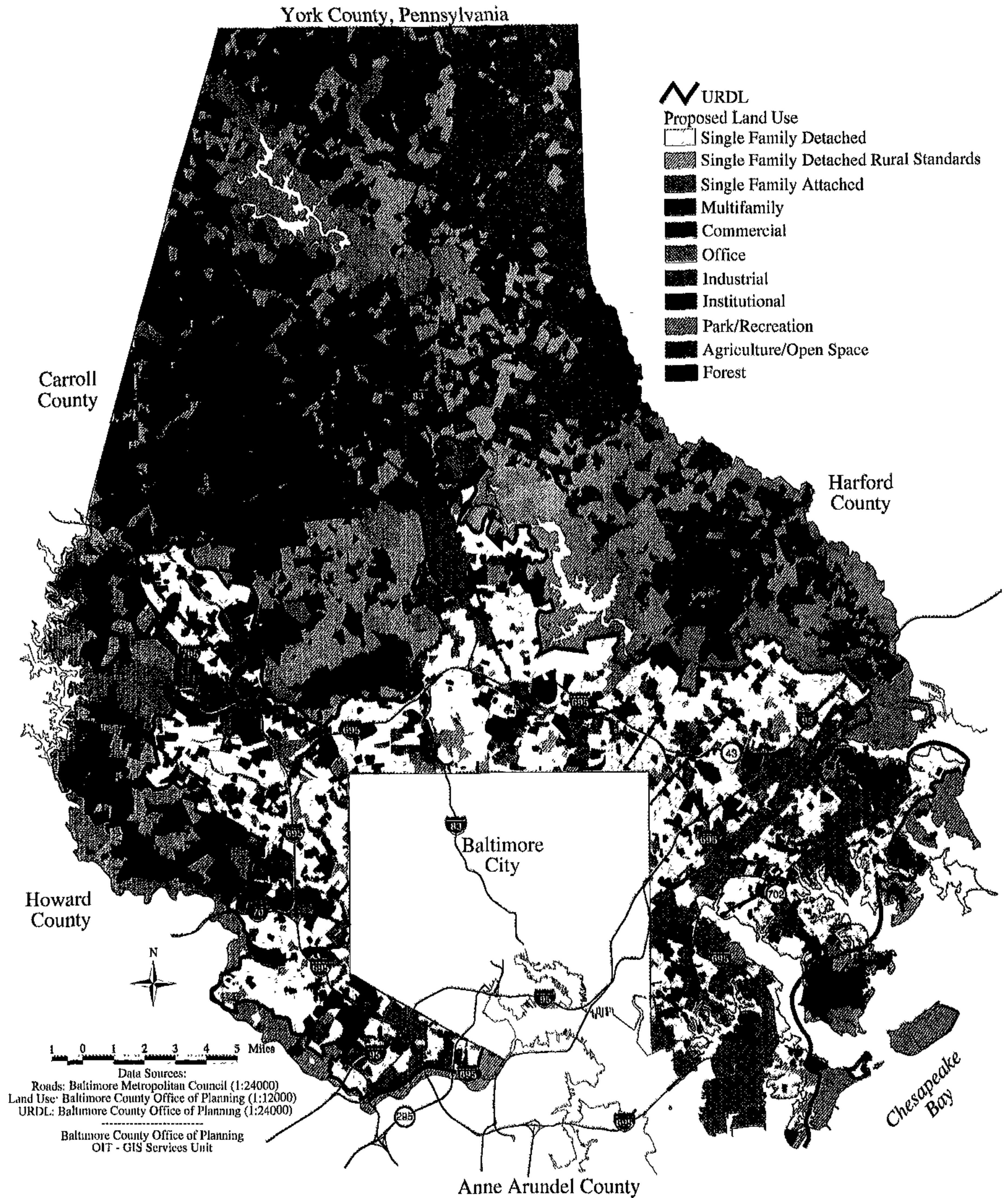
Land use and development regulations and standards are adopted by the Baltimore County Council. Certain county agencies and departments are authorized by the Council to administer or enforce these regulations and standards. The primary land use regulations and standards adopted by the Council are:

- The *Baltimore County Zoning Regulations* specify what land uses can be developed on a piece of property based on the property's designated zoning classification, as depicted on the "Baltimore County Zoning Map." The zoning regulations also contain area and setback requirements and other regulations related to site design.
- The *Development Regulations* elaborate the procedures required to subdivide and develop land, including requirements for the preparation and review of site plans, and provisions for public infrastructure to serve the new development. They also contain general design standards and the authority to create other regulations and standards, such as the *Local Open Space Manual*, the *Landscape Manual*, *Public Works Design Standards*, and *Environmental Standards and Requirements*. The Department of Permits and Development Management is the principal agency responsible for administering site plan review.

The authority for an agency to promulgate regulations is limited by the procedural safeguards established by the County Council to ensure that all such regulations are lawfully adopted and are within the scope of the statutory grant which authorizes their adoption.

THE MAJOR LAND USE CONTROL IN BALTIMORE COUNTY IS ZONING.

The major land use control in Baltimore County is zoning. Many of the land use policies of the master plan will be implemented through the application of zoning. Map 39, "Proposed Land Use," provides general recommendations for future land use in the county based on these policies. The map is conceptual and general; it is intended to reflect land use patterns rather than identify the land use of individual properties or parcels. The proposed map is designed to provide general rezoning recommendations for consideration in the Comprehensive Zoning Map Process, the Cycle Zoning Process, and the Out-of-Cycle Zoning Process, as well as in the review of water and sewer master plan petitions and development projects. The proposed land use map will provide the general direction for county land use decisions. The map may be amended periodically as needed.



MAP 39
PROPOSED LAND USE



**THE CAPITAL
IMPROVEMENTS
PROGRAM IDENTIFIES
EXPENDITURES FOR
CAPITAL PROJECTS
SUCH AS WATER AND
SEWER LINES, ROADS,
PARK FACILITIES, AND
SCHOOLS.**

ADVISORY GUIDELINES

In addition to adopted regulations, agencies also work with advisory guidelines, which assist in achieving the objectives provided in law. The most extensive guide to land use development is the *Comprehensive Manual of Development Policies (CMDP)*. This advisory document is created under the *Baltimore County Zoning Regulations* with the purpose of providing “a comprehensive manual of the planning board’s land-use and development policies and zoning resolutions.” The CMDP contains site and architectural design guidelines intended to help achieve high quality development in Baltimore County. It addresses broad areas including residential development, commercial development, PUDs, compatibility, scenic views, Design Review Panel, and microwave path protection.

The CMDP guidelines hold great potential for improving the appearance and functional quality of new development in Baltimore County. However, as the predominant development pattern changes from new development to redevelopment, the county will need development controls that have greater flexibility for integrating new projects into existing built environments. Greater reliance on development guidelines, with a review process that includes all segments of the community, may be a solution for providing flexibility while assuring good design quality.

Action

The County Council may wish to consider methods to improve the effectiveness of the CMDP as a tool to assure flexibility, high-quality development, and broad-based community participation in design review.

FUNDING MECHANISMS

The county’s annual budget contains two major funding systems for providing public services and facilities. The General Operating Budget identifies expenses for public services such as education and public safety, which are funded primarily with county property tax and income tax revenue. The Capital Improvements Program (CIP) identifies expenditures for capital projects, which includes the construction and maintenance of the county’s physical facilities such as water and sewer lines, roads, storm drains, bridges, refuse disposal, government buildings, park facilities, and schools. The CIP is funded primarily with county bond revenue. (A detailed explanation of the budgeting process and funding sources is provided in Appendix A.)



The CIP can help implement master plan and community plan recommendations for infrastructure by specifying the amount and priority of capital expenditures. Where and when resources are committed are significant factors in the county's growth. While the growth areas should continue to have high priority for new infrastructure to facilitate private sector investment, there must simultaneously be a continued emphasis on the repair and replacement of the county's older infrastructure, to help conserve the county's older communities. Conversely, the CIP can also serve as a tool for implementing the rural strategy of *Master Plan 2010* by limiting new infrastructure construction in the rural areas to help control growth and maintain the rural character.

County tax and bond funding sources are limited. These revenues can be augmented by other types of funds, such as grants, or through privatization and volunteerism. The County Executive and County Council should consider creative ways for using outside resources to help pay for the facilities, programs and services that citizens need and desire.



APPENDIX A:

CAPITAL IMPROVEMENTS PROGRAMMING

DEFINITIONS

The term **capital project** refers to any physical public betterment or improvement and the acquisition of property that is of a permanent nature and for public use.

The term **capital budget** or budget year refers to Baltimore County's plan to receive and expend funds for capital projects during the first fiscal year of the capital program.

The term **capital program** refers to Baltimore County's plan to receive and expend funds for capital projects during a six-year period that includes the current budget year and the five fiscal years thereafter.

LEGAL BASIS

Article VII of the *Baltimore County Charter* establishes procedures for budget and fiscal preparations. Section 705 relates specifically to the formulation of the capital budget and capital program. The charter provides for a budgetary process that includes the director of budget and finance, the planning board and the director of planning, the administrative officer, the County Executive and the County Council as the governing bodies or offices that review potential capital projects. The County Council has the authority to "decrease or delete any item in the budget."

CAPITAL IMPROVEMENT PROGRAM PROCESS

Capital Budget and Capital Program

At the direction of the county's administrative officer, each office, department, institution, board, commission or other agency of county government annually submits a list of proposed capital projects for the next six years to the director of budget and finance. After a preliminary review, the budget is forwarded to the Office of Planning.



The planning board reviews the capital budget and capital program during the months of January through March. All requesting agencies present their capital project requests to the planning board. During even calendar years, the planning board reviews capital project requests and makes recommendations for the amount and allocation of the bond referendum by programming funds for the appropriate two fiscal years, the budget year, and the rest of the capital program. During odd calendar years, the planning board reviews requests for changes to the budget and program due to emergencies or other compelling reasons. Nothing precludes the planning board from making major changes to the budget and the program in the odd calendar years. However, the most recently passed referendum provides fiscal parameters and the previous capital improvement program provides a guideline for capital project scheduling.

The planning board establishes an ad hoc committee on the capital budget and program. That committee presents its recommendations to the planning board for final vote. Board meetings include opportunity for public comment.

After consideration by the planning board, the director of planning submits a list of recommended projects and cost estimates for the six-year period to the director of budget and finance, who then reviews these recommendations with the county administrative officer. These recommendations along with the current expense budget are forwarded to the County Executive.

On or before April 16 (75 days prior to the end of the fiscal year), the County Executive submits the operating budget (current expense budget) and the capital budget and program to the County Council. The County Executive also submits a budget message to the County Council. The current expense budget submittal includes revenue estimates; debt service requirements; surplus and/or deficit amounts from the current fiscal year; expense estimates; a statement of bonded and other indebtedness; contingency reserves not to exceed 3% of the general fund; and a comparative statement of expenses and revenues for the previous fiscal year, the current fiscal year and the ensuing fiscal year. The capital budget and program submittal must include: a listing of capital projects to be undertaken during the next six fiscal years; a means for financing the capital projects; and receipts anticipated for the next fiscal year. The budget message must include a summary of the proposed current expense budget,



and the capital program in fiscal terms and in terms of work to be done; an outline of financial policies and important features of the current expense budget; a listing and rationale of major changes in financial policies, expenditures, appropriations and revenues as compared with the current fiscal year; and changes in the capital program as compared with the planning board's recommendations.

The County Council reviews the budget and holds a public hearing (between seven and 20 days after receiving it from the County Executive). The County Council has the authority to decrease or delete any item in the budget, but cannot increase any expenditure amount or add new projects for current or capital purposes. Also, the County Council cannot change revenue estimates except to correct mathematical errors or alter the form of the budget. On or before June 1st (on or before the first day of the last month of the fiscal year currently ending), the County Council adopts the current expense budget and the capital budget for the next fiscal year. The adoption of the budget is known as the Annual Budget and Appropriation Ordinance of Baltimore County. The fiscal year begins on July 1st and ends on June 30th.

Biennial Bond Referendum

Section 705, item (a) of Article VII of the *Baltimore County Charter* establishes procedures for the submission of data for referendum. Referendum questions related to the issuance of bonds are placed on the ballot in Baltimore County every general election year.

At the direction of the county's administrative officer, the director of planning submits the planning board's recommendations of borrowing for capital projects, to be undertaken for the next ensuing two fiscal years, to the director of budget and finance who then reviews the planning board's recommendations with the county administrative officer. After the review, and with consideration given to conformance with the existing capital program, the borrowing plan is submitted to the County Executive. The County Executive reviews the plan, adjusting the recommendations if necessary, and forwards it to the County Council. The County Council has the authority to approve, decrease or delete any item in the budget, but cannot increase project amounts or add projects to the plan. The County Council approves the bond ordinances, which specify the purpose and classes



of projects (e.g. schools, streets, parks, etc.), and then the borrowing questions are placed on the ballot in the November general election for voter approval. In Baltimore County, there is a general election every even numbered year.

FINANCIAL AND DEBT MANAGEMENT POLICIES & GUIDELINES

Baltimore County conducts an annual evaluation of debt capacity and control analysis, in order to preserve and enhance its general obligation debt ratings, which are currently “triple A” at all three major bond rating agencies. This evaluation serves as the basis upon which Baltimore County can structure its future debt issuances, within resources available, in order to assess the effect of such issuances on its credit standing and policy goals. In order to develop a framework for ensuring that the issuance of debt will not impair Baltimore County’s effort to maintain its current high credit ratings, the following formal debt management policies were established and related guidelines identified.

Policies

In 1993, Baltimore County established a formalized fund balance policy by instituting a Revenue Stabilization Reserve Account. The Revenue Stabilization Reserve Account is funded each year from unexpended and unencumbered appropriations from revenues in excess of budget estimates. The target fund level is 3% of the general fund budget.

Baltimore County has established certain debt and financial management targets. These include a debt-per-capita level of \$1,000 and an unreserved general fund balance to general fund revenues (which includes the Revenue Stabilization Reserve Account balance) of 5%.

Guidelines

- Baltimore County does not intend to issue tax or revenue anticipation notes to fund governmental operations.
- Baltimore County does not intend to have any fixed rate bond anticipation notes outstanding for a period of longer than two years.
- Baltimore County will update its debt affordability study each year in conjunction with its capital budget process.
- Baltimore County will budget contributions to Pay-As-You-Go (current expense) financing in each fiscal year.



- Baltimore County will ensure that the ratio of unreserved General Fund balance (including Revenue Stabilization Reserve Account balance) to General Fund revenues does not fall to the floor level (3%) for two consecutive years.
- Baltimore County will ensure that the rapidity of debt repayment on new net tax-supported debt does not fall below 25% retired in five years and 50% retired in 10 years. (As of June 30, 1998, Baltimore County had an above-average rapidity of repayment, at 40.2% in five years and 65.1% in ten years.)

SOURCES OF FUNDS

County Funds

General Funds

These funds come from the annual General Fund current expense budget.

Reallocated General Funds

These are General Funds reallocated from one project to another.

Metropolitan Operating Funds

In 1924, by an Act of the Maryland General Assembly, the metropolitan district was established to supply water and to provide sewerage and drainage systems to the residents of Baltimore County. These funds are generated from various charges assessed against customers of the metropolitan district.

Reallocated Operating Funds

These are Metropolitan Operating Funds reallocated from one project to another because of schedule changes, changes in priorities, or projects coming in under budget.

General Obligation Bonds

Bonds are borrowed funds. "General obligation" means that the redemption of bonds and payment of interest is guaranteed by the full faith, credit, and unlimited taxing power of the county. Before these bonds may be issued, they must be approved at a referendum held in each election year, approved by the County Council as a funding source in the budget year, and further approved at the time of actual issuance by a bond ordinance. Bonds are the primary source of capital financing.



Metropolitan Bonds

Metropolitan District Bonds are the same as General Obligation Bonds except that they are not required to be approved at referendum. Repayment of principal and interest comes from metropolitan district funds.

Federal/State/Other

Community Development Block Grant

Federal legislation enacted in 1974 combines six previous grant programs (urban renewal, model cities, neighborhood facilities, open space, historical preservation, and water and sewer) into a single block grant. The block grant can be used at the discretion of local government for broad community development programs, with priorities and funding levels established by local governments.

Program Open Space

These funds are to support recreation opportunities and come from the State of Maryland through the collection of the State Transfer Tax on real property.

State Waterway Improvement Fund

Funds provided by the Department of Natural Resources for improvements related to stormwater management and waterways.

State Aid - Other

State funds to assist Baltimore County in the financing of various capital projects.

Developer's Responsibility

Developer's contributions that are applied to projects providing facilities in approved subdivisions. The developer's contributions represent the developer's portion of the cost of the project.

Petitioner's Responsibility

Contributions made by the petitioner who requests a project be done by Baltimore County.

County Agricultural Preservation Tax

The county's share of the state agricultural transfer tax that is assessed on an agriculturally used property when the use is changed to non-agricultural.

**Local Open Space Waiver Fees**

Fees paid by developers to Baltimore County during the development process when the amount of required open space is less than 1/2 an acre and not adjacent to existing parkland.

Other

There are various other funding sources which may become available from time to time. When amounts are material, identifiable, and predictable, they will be cited as sources of funding in the capital budget.



APPENDIX B:

SUMMARIES OF COMMUNITY PLANS STILL IN EFFECT

BOWLEYS QUARTERS COMMUNITY ACTION PLAN (11/02/92)

The plan area includes the entire Bowleys Quarters peninsula with Eastern Avenue as the northwestern boundary and Carroll Island Road as the northern line of demarcation. The plan studies the changing demographic, land use, zoning and traffic patterns of the area and provides recommendations that would allow limited growth while preserving the peninsula's rural waterfront atmosphere. Several of the issues examined and recommendations provided pertain to the fact that much of the study area is located along the waterfront, and thus is within the Chesapeake Bay Critical Area protecting the environmentally sensitive critical area.

THE CATONSVILLE PLAN (10/07/91)

The plan area is the Catonsville "village" the community's commercial core located on Frederick Road bounded by I-695 on the east and Beaumont Avenue on the west. The purpose of the plan is to guide future actions in the village. The plan involves a market analysis of the core area, traffic/parking analysis, and a design and architecture component. The plan recommendations include land use, zoning, traffic/parking, design, architecture, and streetscape actions.

EASTERN BALTIMORE COUNTY REVITALIZATION STRATEGY (07/01/96)

The focus of the plan is the area extending from the city-county line eastward to Ebenezer Road and bounded by Philadelphia Road and the White Marsh Business Community to the north and the Chesapeake Bay to the south. The plan is organized around three key areas of concern: economic development, community conservation, and waterfront enhancement. The plan identifies numerous specific actions for stabilizing and strengthening communities in the study area.



ESSEX CBD REVITALIZATION STRATEGY (12/16/91)

The plan area is the Central Business District as defined by the 400 and 500 blocks of Eastern Avenue, extending from Mace Avenue and Riverside Avenue on the west to Woodward Avenue on the east, plus selected adjacent properties, which extend south to Maryland Avenue. Also covered is an extended study area consisting of the Eastern Avenue frontages west of Mace and Riverside avenues to the Back River Bridge. The plan proposes a business incubator that would provide physical facilities and technical and business development assistance to small start-up firms at below market rates. The plan also proposes physical improvement and business development programs.

A COMMUNITY CONSERVATION PLAN FOR ESSEX-MIDDLE RIVER (07/01/96)

The plan area is bounded by Back River and Stemmers Run on the west, Philadelphia Road (MD7) on the north, Middle River Road, Bird River Road, Wampler Road, and Bengies Road on the east, Muddy Gut, Pottery Farm Road, Sue Creek to Middle River on the south. The plan is directed toward the stabilization and enhancement of this community. Recommended actions deal with issues including infrastructure improvements, education, housing, public safety, transportation, recreation, economic and employment opportunities, health and social services, and leadership development.

HANOVER PIKE CORRIDOR STUDY (04/19/93)

The plan area extends from Reisterstown to Carroll County along the Hanover Pike (Route 30) and includes four existing rural villages: Woodensburg, Boring, Fowblesburg and Arcadia. The plan addresses significant growth related issues associated with Route 30, a primary state road that links Carroll County and Baltimore County. Actions recommended are to retain the rural character along the corridor, to address the rapid increase in traffic on Hanover Pike, and to control and improve the quality of development design.

HEREFORD COMMUNITY PLAN (05/06/91)

The plan includes an area of 76± acres, which is most of Hereford's commercial core located at the crossroads of York Road and Mount Carmel

Road. The purpose of the plan is to maintain the area's rural town character while allowing for limited growth opportunities in the rural center to meet the basic needs of the community. The plan contains recommendations on land use, the environment, roads and traffic, site design and architecture, planting and lighting, and development guidelines.



THE HONEYGO PLAN (07/05/94)

The plan area consists of the northern part of the Perry Hall-Whitemarsh growth area. It is bounded by Belair Road to the west, Gunpowder Falls to the north, Philadelphia Road to the east, and Chapel Road and the Honeygo Run to the south. The plan serves as the theoretical construct for the Honeygo Overlay District. Its basic premise is that development should coincide with infrastructure improvements. For this reason authorizations for building permits cannot be issued until certain capital improvements are in place. Properties within the Honeygo Overlay District are designated by an H or H1 designation and are subject to special regulations and design standards.

HUNT VALLEY/TIMONIUM MASTER PLAN (10/19/98)

The plan area is the Hunt Valley/Timonium Employment Center, a major employment and retail center, in the central area of Baltimore County. The focus area of the plan extends along the York Road/I-83 corridor from Ridgely Road to north of Shawan Road. The purpose of the plan is to protect and enhance this vital employment and retail area without producing adverse impacts on neighboring residential communities. Actions recommended involve economic development, transportation, environmental resources, open space, zoning, land use, and design guidelines that encourage development and redevelopment consistent with the plan's goals and objectives.

GREATER KINGSVILLE AREA COMMUNITY PLAN (07/01/96)

The plan includes the village communities of Kingsville, Fork, Upper Falls, and part of the Bradshaw community. The plan area is bounded by the Little Gunpowder River on the north, I-95 on the east, Gunpowder Falls on the south, and by Bottom Road, Williams Road, Haystack Branch, Harford Road and Long Green Creek on the west. The goals of the plan are directed toward maintaining the rural character of the area, enhancing the commercial



centers to serve the rural residential and commercial community, and ensuring that future development is integrated into the rural concept of the community. Recommendations are made regarding environmental considerations, recreational needs, traffic circulation, education, agriculture, historic preservation, and development design.

LIBERTY ROAD REVITALIZATION AREA (10/07/91)

The plan area extends nine miles from the Baltimore City line to Deer Park Road. The purpose of the plan is to revitalize the Liberty Road commercial corridor by making it more attractive to both potential businesses and customers. Actions recommended in the plan include encouraging desirable uses, encouraging land assembly to make land more marketable, and implementing a streetscape program to enhance private and public areas which front on Liberty Road. The plan also recommends minimizing the visual clutter created by multiple signs and curb cuts.

LOCH RAVEN VILLAGE COMMUNITY CONSERVATION PLAN (04/06/92)

The plan area includes the neighborhoods of Loch Raven Village, the Loch Raven Village Apartments, and Knettishall. The purpose of this community plan is to preserve and strengthen these neighborhoods by addressing the issues of public facilities, housing, environment, transportation, community infrastructure, commercial corridor improvements, and zoning/land use. Significant emphasis is given to the historic background of the community and its partnership with local government to implement the actions identified in the plan.

LOWER BACK RIVER NECK COMMUNITY ACTION PLAN (10/18/93)

The plan area includes the entire Lower Back River Neck peninsula up to the shoreline of the Norman Creek in the north and the Muddy Gut in the northwest. Much of the study area consists of mature forestland and non-tidal wetlands. Because of the environmentally sensitive nature of the Lower Back River Neck peninsula, the plan's primary focus concerns environmental issues and most of the actions recommended have environmental protection as their goal. Other issues examined pertain to waterfront uses, such as marinas and concerns linked to waterfront areas, such as dredging.



***A COMMUNITY CONSERVATION PLAN FOR LUTHERVILLE
(02/20/96)***

The plan area is bounded by Ridgely Road, I-83, I-695, Seminary Ave. and Bellona Avenue. It contains several distinct neighborhoods, the Lutherville historic district, Country Club Park, School Lane, Burton Avenue and the neighborhood south of Seminary Avenue. The purpose of the plan is to protect and enhance Lutherville's historic character and key recreational and environmental resources, to protect the community from encroachment due to expansion of non-residential uses, and to minimize through traffic. Plan recommendations include design guidelines for infill development sites, the upgrade of recreational facilities, neighborhood traffic management, and improved pedestrian access within the community.

***OWINGS MILLS PARK AND OPEN SPACE CONCEPT PLAN
(05/15/95)***

The plan boundaries are Horsehead Branch and Locust Run on the south, the Liberty Reservoir on the west, Berrymans Lane, Church Road on the north and I-795 on the east. The plan presents a comprehensive approach to providing recreational and open space opportunities for the Owings Mills Growth Area. In addition to proposing active recreational opportunities, the plan integrates the stream valley park system with the Soldiers Delight Natural Environmental Area and proposes greenway linkages to the Patapsco Park and Open Space Plan area, the Patapsco State Park, Woodlawn, Glyndon, and Greenspring Valley. The centerpiece of this plan is a proposed Red Run Arboretum, a native species ecological garden.

PATAPSCO/GRANITE AREA COMMUNITY PLAN (12/21/98)

The plan area of 18.7 square miles contains the old rural quarry community of Granite, a National Register Historic District, and newer rural residential development, as well as rolling farm fields and forested stream valleys in the Patapsco River watershed. The purpose of the plan is to preserve the area's rural character and agricultural uses while supporting moderate, well-planned rural growth. Actions recommended are rural preservation strategies such as developing a historic preservation master plan, a community based land trust, and greenway plans. Also recommended are rural design guidelines and zoning changes to convert the RC 3 (Deferred Planning) zone to a permanent, conservancy/open space zone.

***PATAPSCO PARK AND OPEN SPACE CONCEPT PLAN (04/20/92)***

The plan's boundary is formed by I-695 on the east, I-70 and the Patapsco River on the south, Wright's Mill Road and Dogwood Road on the west, and Old Court Road and Windsor Mill Road on the north. The *1989-2000 Master Plan* contained the *Patapsco Plan*, which modified the 1979 proposal to make this area the third growth area for Baltimore County. While the projected growth for this area was significantly reduced, considerable development potential was still envisioned for the Rolling Road and Windsor Mill Road corridors. The intent of the park and open space concept plan was to provide sufficient recreational opportunities to serve this area's growth and provide linkages and greenway connections to adjacent open space amenities. The plan's recommendations include an extensive stream valley greenway system involving Ben's Run, Brice's Run, and Dogwood Run, with open space linkages to the Patapsco State Park, Owings Mills, and Woodlawn. The plan also recommends a regional sports complex, equestrian trails, camping facilities, golf course expansion, and scenic route designations.

PHILADELPHIA ROAD CORRIDOR STUDY (01/21/92)

The focus of the study is the segment of Philadelphia Road extending from Rossville to Cowenton and the area of land that is functionally related to this road segment. Specific boundaries of the study area are I-95 on the west, Rossville Boulevard on the south, the CSX Railroad on the east, and an unnamed tributary of Bird River to the north of Cowenton Avenue and Ebenezer Road. The study presents land use, zoning, and transportation recommendations for the area. An implementation program is also included.

PIKESVILLE, MARYLAND REVITALIZATION PLAN (10/07/91)

The plan area is bounded on the south by the Baltimore City line I-695 on the north, Park Heights Avenue on the east, and the CSX Railroad on the west. The purpose of the plan is to evaluate the future potential of Pikesville's commercial corridor and take positive steps toward improving its competitive position, given the market potential of newer regional and strip shopping centers. Actions recommended by the plan include promoting and advertising the revitalization district as a unified shopping area, promoting a "Restaurant Row" concept to bring night life back to Pikesville, and encouraging façade improvements and streetscaping to produce a more attractive, visually unified and pedestrian oriented shopping district.

***RALSTON COMMUNITY PLAN (10/05/98)***

The plan area includes part of the older Pikesville community located on the south side of Reisterstown Road east of Sudbrook Lane. The purpose of the plan is to enhance and stabilize the community and buffer the residential community from DeRisio Lane, a new commercial service road, parallel to Reisterstown Road and extending from Church Lane to Sherwood Avenue. Actions recommended include establishing a landscaped buffer along DeRisio Lane, mitigating traffic congestion and noise, and preventing potential commercial encroachment. Additional recommendations include improving code enforcement, infrastructure, public safety, increasing home ownership, and identifying potential open space sites.

SOUTHEAST TOWSON COMMUNITY PLAN (10/19/98)

The plan area includes the communities of Aigburth Manor, Burkleigh Square, and Towson Manor Village located to the southeast of the Towson Urban Center and in proximity to Towson University. The purpose of this plan is to strengthen these neighborhoods and to improve the residential community's working relationship with landlords, tenants, the business community, and the university. Actions recommended are increased home ownership, improved code enforcement, community and property maintenance, neighborhood traffic management, and improved parking enforcement.

SOUTHWEST BALTIMORE COUNTY REVITALIZATION STRATEGY (12/15/97)

The plan area is bounded by the Baltimore City line on the east, Dogwood Road, the Beltway, and Windsor Mill Road on the north, the URDL, Johnnycake Road, the Patapsco River, and the Howard County line on the west, and the Anne Arundel county line on the south. The purpose of the plan is to identify a series of strategies or actions to strengthen the local economy, capitalize on the concentration of institutional uses in the area, and stabilize and enhance the neighborhoods. The plan recommends the following actions that foster economic development goals: attract, expand, and retain businesses, implement new workforce education and assistance programs, support commercial revitalization, and support the continued development of the UMBC Technology Center and Research Park. The plan recommends these actions for the institutional center: market and promote the economic, educational, cultural, and human services aspects of the southwest institutions, pursue infrastructure improvements, and



strengthen relationships with the surrounding communities. Community conservation actions include establishing community based housing programs, marketing the neighborhoods, promoting community policing, promoting special programs for youth and families, renovating aging school buildings, and improving infrastructure.

SUDBROOK PARK COMMUNITY PLAN (04/05/99)

The plan area matches the boundaries of the community and includes the National Register and Baltimore County Historic Districts of Sudbrook Park. The purposes of this community plan are: 1) to gain wider recognition of the area as a unique community known for its Olmsted design and its sense of community; and 2) to restore Olmsted's vision for the community with regard to open space and roads; and 3) to preserve and enhance the community's historic character and protect it from commercial encroachment. Actions recommended are priority funding for roads and infrastructure, schools, and open space. Specific recommendations include preserving and/or restoring Sudbrook's landscaped planting islands at key intersections and the entranceway bridge. Finally, it recommends consideration of traffic calming strategies to lessen the negative impact of vehicular traffic on the quality of life in the community.

TOWSON COMMUNITY PLAN (02/03/92)

The plan area includes the communities located within the boundaries of the City/County line, the Beltway and Seminary Avenue, Charles Street, and Loch Raven Boulevard. The purpose of the plan is to comprehensively guide future development of the area and achieve an effective balance that ensures a positive quality of life for the community. Plan recommendations address land use and zoning, urban design, vehicular and pedestrian circulation, active and passive open space, and community conservation efforts. The plan calls for the establishment of a Design Review Advisory Board to interpret the design principles and development guidelines set forth in the plan as they relate to proposed development, creation of a special Town Center (CT) land use overlay district, establishment of an open space plan, and the development of urban design guidelines that address building mass, scale, and streetscape.

***WINDLASS RUN/BIRD RIVER ROAD AREA COMMUNITY PLAN
(01/04/99)***

The plan area, totalling 6.3 square miles, is located in eastern Baltimore County. The plan area is bounded by Pulaski Highway on the west, Ebenezer Road on the north, the Amtrak Railroad on the east, and Middle River Road, Bird River Road, Wampler Road, Pineview Place, and Bengies Road on the south. The plan examines changing demographics, land uses, and social patterns and provides recommendations for orderly development while preserving the quality of life of residents. The plan supports controlled growth within the URDL, and zoning classifications that support agricultural production and the rural character outside the URDL.

WOODLAWN/LIBERTY COMMUNITY PLAN (05/17/93)

The plan area is comprised of communities on both sides of Liberty Road between the Baltimore City line and the Beltway (I-695). These communities include Lochearn, Campfield, Villa Nova, Milford, Woodmoor, Haywood Heights, Gwynn Oak, Essex Road, Colonial Park, and Woodlawn. The purpose of the Woodlawn/Liberty Plan is to address issues that impact both the physical and social environment. Actions recommended in the plan include establishing a Capital Improvement Program subcommittee to assure maintenance of the community's aging infrastructure, and encouraging homeownership. The plan also recommends opposing zoning requests that increase density or change the character of existing neighborhoods.



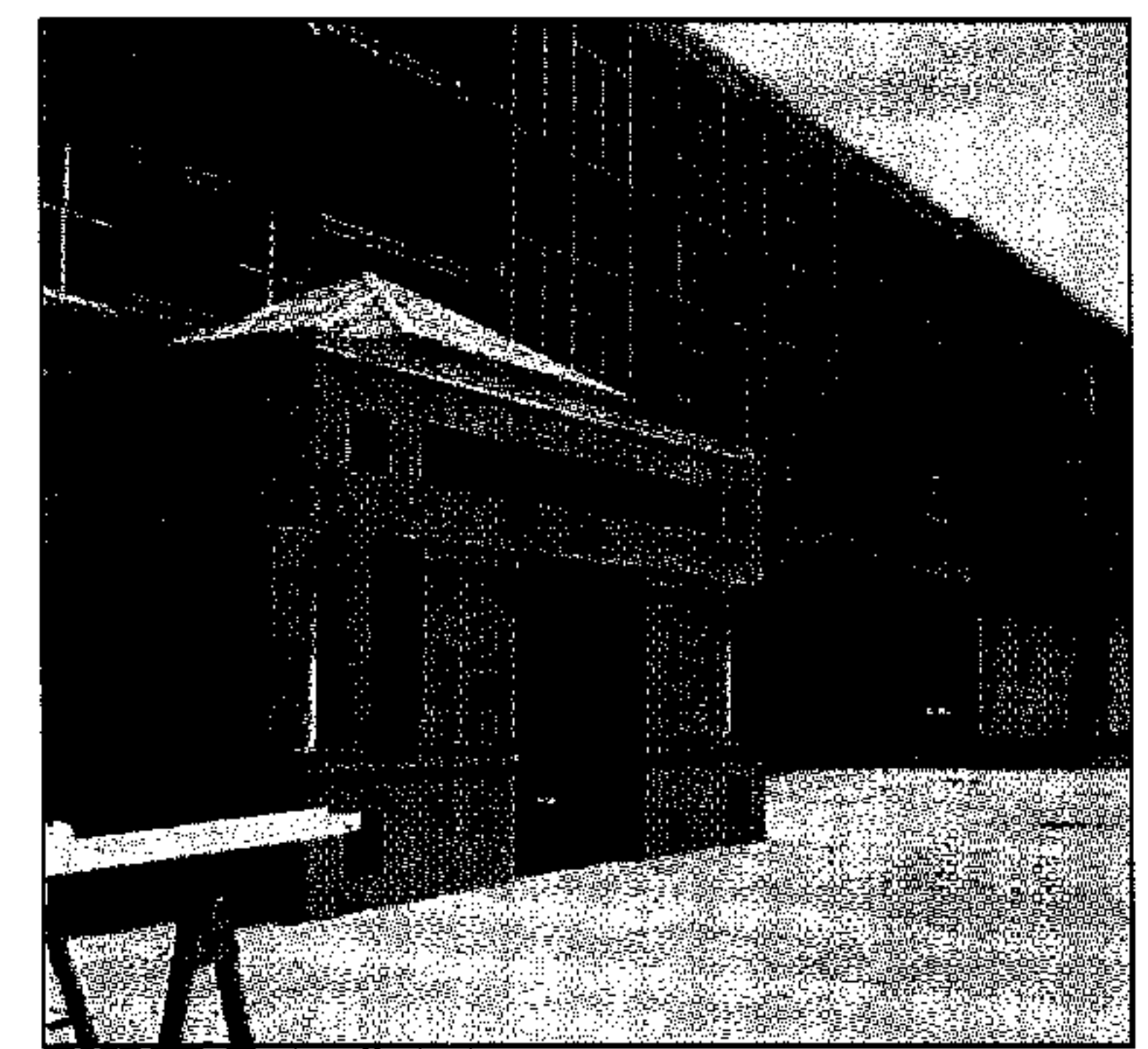
- Balance the need to expand or add schools against the need to maintain and upgrade existing schools.
- Establish new county schools judiciously, giving priority to planned growth areas and community conservation areas.
- Recognize and address the critical impact of children's life conditions at preschool age on their future educational achievement and employment success.
- Achieve a high level of literacy for every adult in Baltimore County.
- Strengthen ties between business and educational institutions to achieve an integrated system of basic and career education, training, and retraining for all parts of the work force.
- Continue to assist students in developing an understanding and appreciation for diversity in schools and communities.
- Continue to develop schools as community centers that serve multiple functions and benefit the entire community.

ISSUES AND ACTIONS

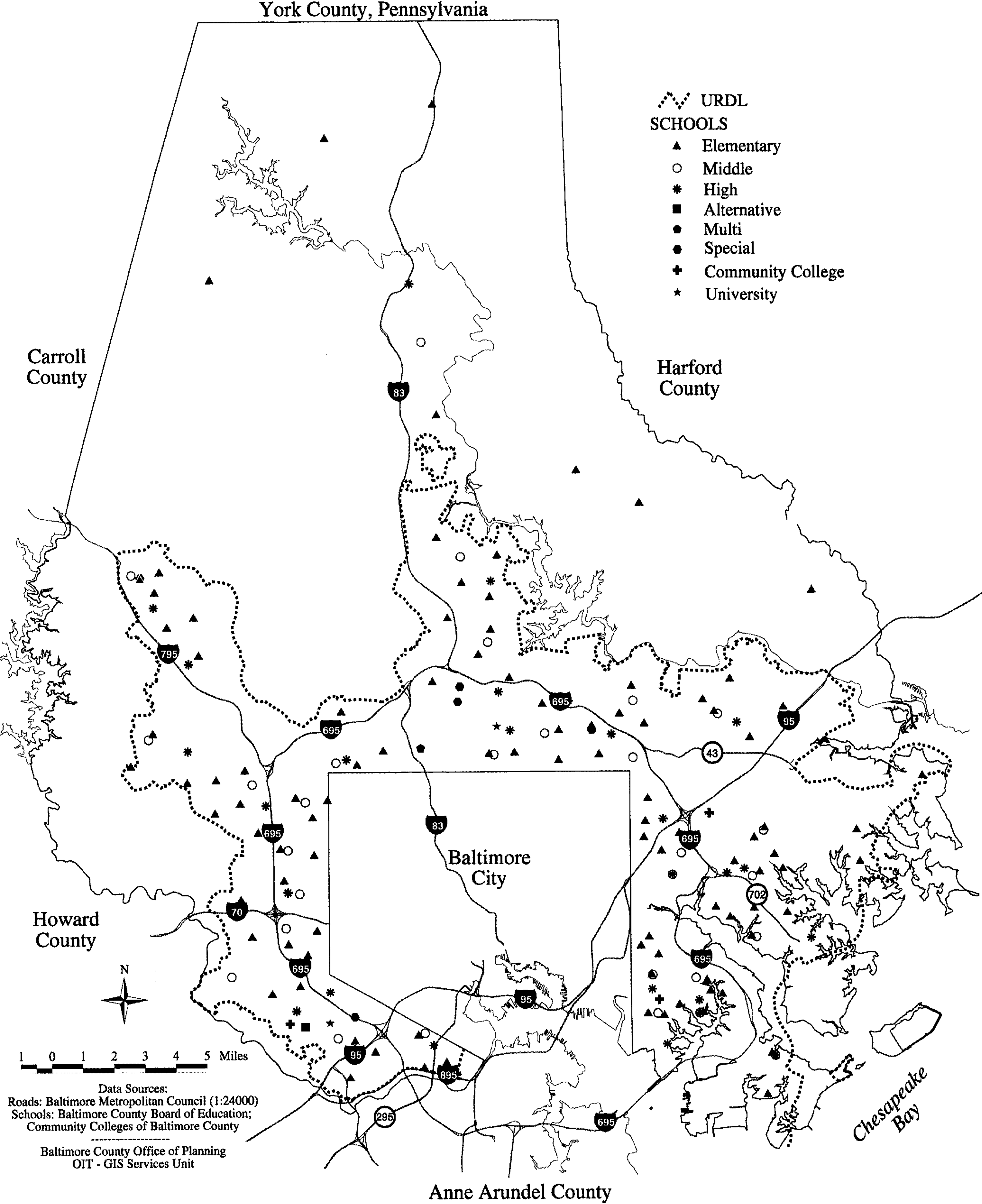
Some of the major issues in education involve providing adequate school facilities to prevent overcrowding; support for current program needs; and the use of school facilities as centers of community life. Other issues concern the quality and scope of educational programs and support services, and adjustments that may be appropriate in response to the changing nature of the county's communities.

BALTIMORE COUNTY PUBLIC SCHOOLS

The Baltimore County Public School system (BCPS) is the 25th largest in the United States, with a 1997-98 enrollment of 105,520 students. One hundred and sixty-one schools and almost 7,000 teachers serve the children. There are 101 elementary schools, 26 middle schools, 24 high schools, six alternative schools, and four special schools within the system. The 1997-98 school enrollment increased from its 1996-97 level by 1,051 students. The enrollment for 1998-99 was 106,300, an increase of 780 students above the previous year (Map 7). A fundamental part of the county's responsibility for public education is to provide for adequate classroom space. In the past four years, the county has funded a total of 9,000 new classroom seats in growing communities through new schools and additions.



The construction of an addition to Parkville High School is one of the many school improvements being undertaken.



MAP 7
PUBLIC SCHOOLS



4. Establish a phased renovation plan to bring schools into compliance with applicable accessibility codes.

Issue: Improving the Quality of Education

Nationally and locally, there is great interest in improving the quality of public education. It is imperative that Baltimore County schools retain the confidence of parents. Student scores on state achievement tests are improving throughout the county school system, and in many county schools the majority of students excel on state and national tests. However, schools in several of the county's older communities, which have substantial numbers of disadvantaged students, are not performing as well.

The 1996 *Baltimore County Public Schools Action Plan* included these steps to improve student achievement:

- Develop strategies to promote understanding of the relationships among the Essential Curriculum, curriculum units, and assessment. (The Essential Curriculum is comprised of the knowledge and skills which students are expected to have at each grade level.)
- Implement a more comprehensive assessment plan emphasizing the effective use of tools such as pop quizzes and project assignments to make instructional decisions.
- Research, implement, and communicate best practices for improving student achievement.
- Use internal and external evaluations to monitor the effectiveness of system-wide initiatives and on-going programs.
- Implement recommendations for improving minority student achievement.
- Implement specific strategies that engage parents as partners in all aspects of the learning process.
- Provide staff development that reflects the needs of new and experienced teachers and administrators in implementation of the Essential Curriculum, research-based instructional practices and assessment, and data analysis.
- Refine existing programs such as gifted and talented education, special education, magnet themes, multicultural education, reading, and values education to improve their implementation.

The state mandates that the *School Facilities Master Plan* should contain various data related primarily to facility needs but also include "other relevant

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