

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 13
August 1, 2016 6:00 P.M.

A. The meeting was called to order by Chairwoman Almond at 6:07 P.M. The Chairwoman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 40 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Jones, seconded by Councilwoman Bevins, the reading of the Journal Entries for the meeting of July 5, 2016 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairwoman stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 42-16 and 43-16.

D. INTRODUCTION OF BILLS

Bill 51-16, entitled An Act for the purpose of providing for the purpose of amending the 2017 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from State funds made available to the County through the Maryland Department of Juvenile Services.

Bill 52-16, entitled An Act for the purpose of providing for the purpose of increasing the penalties applicable to the unlawful parking of certain commercial vehicles in residential zones of the County; authorizing the towing of vehicles under certain circumstances by certain persons; and generally relating to the penalties for unlawful parking or standing of vehicles.

Bill 53-16, entitled An Act for the purpose of providing for the purpose amending the existing Special Regulations for certain B.M. lots by providing an exception for B.M. lots located in certain C.C.C. Districts; and generally relating to the Special Regulations for certain B.M. lots.

Bill 54-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the First Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive First Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 55-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Second Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Second Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 56-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Third Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Third Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 57-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Fourth Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Fourth Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 58-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Fifth Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Fifth Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 59-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Sixth Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Sixth Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

Bill 60-16, entitled An Act for the purpose of providing for the purpose of repealing certain existing zoning maps and to adopt an official zoning map for the Seventh Councilmanic District of Baltimore County, such map to be known as the 2016 Official Comprehensive Seventh Councilmanic District Zoning Map for Baltimore County and to supersede any previous zoning maps approved by the County Council of Baltimore County for that particular district.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 45-16, CEB - Grant -MDE for Best Available Technology (BAT) for Onsite Sewage Disposal Systems (OSDS), was called. Vince Gardina appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 46-16, Human Relations - Source of Income Discrimination, was called. Andrea Van Arsdale appeared. Councilmembers Jones and Quirk commented and questioned Ms. Van Arsdale. Councilmembers Bevins Almond, and Marks commented. There being no further discussion, this Bill failed by the following roll call vote:

Aye - Jones
Nay - Quirk, Almond, Kach, Marks, Bevins, Crandell

Bill 47-16, CEB - Capital Budget - 211-213-P209 School Air Conditioning Projects, was called. Keith Dorsey appeared. There being no discussion, this Bill was passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 48-16, This Bill was withdrawn prior to the meeting.

Bill 49-16, Downtown Towson District, was called. Councilman Marks commented and moved to amend this Bill with the following amendments:

1. On page 1, in the sixth line of the purpose paragraph, after “recommendation” insert “; increasing the maximum average permitted height of certain buildings located in a B.M. Zone”
2. On page 1, in the function paragraph strike “230.1.A.4, 235B.4.B.”; on page 2, strike “235B.4.A.” and substitute “230.1.A.4., 235B.4.A., 235B.4.B., 235.B.5”
3. On page 3, insert the following before line 2:

§230.1. Permitted uses.

A. The following uses only are permitted (see Section 230.2):

4. Fast-food, drive-through-only restaurant, carry-out restaurant, fast food restaurant, and standard restaurant, tearoom, convenience store and dairy barn.[, except that a special exception is required for a fast food, drive-through-only restaurant or a fast-food restaurant that is located on property that is zoned BM-CT and is adjacent to the property line of any residentially used property in the Towson Commercial Revitalization District.]

4. On page 3, in line 6, strike the brackets; and strike “C.T. District of Towson” and strike “THE” and substitute “DOWNTOWN TOWSON DISTRICT”

5. On page 3, insert the following after line 8:

“B. In the [C.T. District of Towson:] DOWNTOWN TOWSON DISTRICT:

1. Tree plantings and street furniture shall be provided between the curb and building according to the Towson Streetscape Standards adopted pursuant to Section 504 and set forth in the Comprehensive Manual of Development Policies.

2. The width of the streetscape area shall be consistent with the adjacent setback of neighboring properties, based upon the recommendations of the Director of Planning. In no case shall the width of the streetscape exceed 25 feet. 3.

If streetscaping has already been provided, the Director of Permits, Approvals and Inspections or the hearing officer shall require an applicant to pay a fee determined by the Director of Public Works, not to exceed the cost of providing the streetscape area, to be used for the maintenance of the streetscape in the [C.T. District of Towson.] DOWNTOWN TOWSON DISTRICT.

§235.B.5. Building Height.

The maximum average permitted height of any building shall be 1½ times the maximum average height otherwise permitted in the B.M. Zones, except for a building in the C.T. District of Towson located within 750 feet of the York Road Circle the maximum average permitted height shall be [1.75] 2.0 times the maximum average height otherwise permitted.”

6. On page 14, in lines 9, 18, and 22, strike the brackets; in line 22, strike “LOCATED IN THE DOWNTOWN TOWSON DISTRICT”; on page 15, strike the brackets in lines 1, 3, 9, and 10; after line 10, insert the following:

“J. TO ANY DEVELOPMENT LOCATED IN THE DOWNTOWN TOWSON DISTRICT.”

7. On page 15, strike lines 12 through 22, and strike pages 16 through 28, and strike lines 1 through 7 on page 29, and substitute the following:

§259.16. DOWNTOWN TOWSON DISTRICT.

G. D.T. (DOWNTOWN TOWSON) DISTRICT. MASTER PLAN 2020 IDENTIFIES TOWSON AS THE URBAN CENTER OF BALTIMORE COUNTY AND LISTS POLICIES AND ACTIONS THAT FOSTER THE REDEVELOPMENT OF TOWSON INTO A PREMIER, WALKABLE, MIXED-USE HUB OF ACTIVITY. THE FOLLOWING REGULATIONS ARE DESIGNED TO HELP FOSTER REDEVELOPMENT AND IMPLEMENT THE GOALS OF MASTER PLAN 2020.

1. LOCATIONAL REQUIREMENTS.

THE D.T. DISTRICT MAY BE APPLIED ONLY ON LAND ZONED B.L., B.M., B.R., R.A.E. 1, R.A.E. 2, O.R. 1, O.R. 2, D.R. 10.5 AND D.R. 16. THE APPLICATION OF THE D.T. ZONE MAY OCCUR AT THE SAME TIME THE UNDERLYING ZONE IS CHANGED.

2. AREA REQUIREMENTS.

A. BUILDING HEIGHT AND FLOOR AREA RATIO ARE NOT RESTRICTED.

B. ALL PROPERTIES ARE EXEMPT FROM FRONT, SIDE OR REAR YARD SETBACKS OR ANY SETBACK FROM THE CENTER LINE OF ANY STREET.

3. USE REQUIREMENTS.

A. USES ARE PERMITTED AS STATED IN THE UNDERLYING ZONE.

B. ADDITIONALLY, REGARDLESS OF THE UNDERLYING ZONE, RESIDENTIAL USES, APARTMENTS, AND ELDERLY HOUSING ARE PERMITTED BY RIGHT AND NOT LIMITED BY DENSITY. THESE USES ARE PERMITTED ON ALL FLOORS OF ANY BUILDING.

4. PARKING REQUIREMENTS.

A. WITHIN THE DOWNTOWN TOWSON DISTRICT, THERE ARE NO MINIMUM PARKING REQUIREMENTS EXCEPT:

B. AT THE TIME OF DEVELOPMENT OR REDEVELOPMENT, THE APPLICANT SHALL IDENTIFY ON ITS DEVELOPMENT PLAN OR LIMITED EXEMPTION PLAN THE PARKING NEEDS ASSOCIATED WITH THE PROPOSED USES AND HOW THEY WILL BE ACCOMMODATED. THE APPLICANT SHALL ADDRESS THE FOLLOWING IN DEMONSTRATING HOW THE PARKING DEMAND WILL BE ACCOMMODATED:

I. IDENTIFICATION OF EACH USE WITHIN THE DEVELOPMENT AND THE PARKING DEMAND ASSUMPTION FOR EACH USE.

II. THE METHOD OF SUPPLYING THE PARKING FOR THE DEVELOPMENT SHALL BE IDENTIFIED SUCH AS ON-SITE, LEASED, SHARED AND HOW ANY OTHER ALTERNATIVE TRANSPORTATION METHODS ARE INCORPORATED INTO ADDRESSING TRANSPORTATION DEMAND.

III. FOR RESIDENTIAL-ONLY BUILDINGS, IDENTIFICATION OF A SECONDARY METHOD FOR PROVIDING ADDITIONAL PARKING IN THE EVENT THE ORIGINAL PARKING SUPPLY PROVES TO BE INADEQUATE.

5. SIGN REQUIREMENTS.

A. ALL SIGNS SHALL BE REVIEWED BY THE DESIGN REVIEW PANEL (DRP).

B. THE DRP MAY ESTABLISH PROCEDURES IN WHICH CERTAIN TYPES OF SIGNS MAY BE REVIEWED ADMINISTRATIVELY BY THE DEPARTMENT OF PLANNING.

C. AFTER THE DRP HAS REVIEWED A COMPREHENSIVE SIGN PACKAGE AS PART OF A DEVELOPMENT, THE DRP MAY AUTHORIZE THE DEPARTMENT OF PLANNING TO REVIEW SUBSEQUENT MINOR REVISIONS TO THE COMPREHENSIVE RECOMMENDED SIGN PACKAGE.

6. DESIGN GUIDELINES. THE PURPOSE OF THE DESIGN GUIDELINES FOR THE DOWNTOWN TOWSON DISTRICT IS TO PROVIDE CLEAR, COMPREHENSIVE GUIDANCE OUTLINING THE CONSIDERATIONS THE DRP AND DEPARTMENT OF PLANNING MUST UNDERTAKE WHEN REVIEWING AND MAKING RECOMMENDATIONS ABOUT DEVELOPMENT IN THE DOWNTOWN TOWSON DISTRICT. THE GUIDELINES ACKNOWLEDGE THE EVOLVING MIXED-USE, URBAN CHARACTER OF DOWNTOWN TOWSON. THE GUIDELINES ARE NOT MANDATORY, AND SOME MAY BE INAPPLICABLE OR UNACHIEVABLE FOR CERTAIN PROJECTS. IN THESE CASES, THE APPLICANT SHALL EXPLAIN HOW THE OVERALL OBJECTIVES WILL BE MET.

URBAN SITE DESIGN AND ARCHITECTURAL GUIDELINES ARE DIVIDED INTO 8 GENERAL CATEGORIES INCLUDING: ENVIRONMENTAL SUSTAINABILITY, BLOCK CONFIGURATION/SITE DESIGN, PARKING, DOWNTOWN OPEN SPACE, BUILDING PRINCIPLES/ARCHITECTURE, BUILDING MATERIALS, LIGHTING AND SIGNAGE.

A. ENVIRONMENTAL SUSTAINABILITY.

I. DEVELOPMENTS SHOULD BE DESIGNED TO ACHIEVE GREEN BUILDING STANDARDS EQUIVALENT TO THE SILVER STANDARD OF EITHER THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) OR THE NATIONAL GREEN BUILDING STANDARDS (NGBS). WHILE LEED OR NGBS SILVER CERTIFICATIONS ARE NOT REQUIRED, INFORMATION SUBSTANTIATING COMPLIANCE WITH LEED OR NGBS STANDARDS SHALL BE PROVIDED TO THE DESIGN REVIEW PANEL UPON REQUEST BY THE DRP.

II. STORMWATER MANAGEMENT SHALL BE INCORPORATED INTO ALL DEVELOPMENT PROJECTS TO REDUCE RUNOFF, IMPROVE WATER QUALITY AND INCREASE GROUNDWATER RECHARGE.

III. PRESERVATION OF EXISTING TREES IS STRONGLY ENCOURAGED IN ALL PROPOSED DEVELOPMENT PROJECTS. MATURE TREES, WITH A DIAMETER OF BREAST HEIGHT (DBH) OF 10 INCHES OR MORE SHALL BE RETAINED, EXCEPT WHERE THE TREE IS:

1. DEAD, DISEASED OR INJURED BEYOND RESTORATION AS DETERMINED BY A CERTIFIED ARBORIST OR LICENSED FORESTER; OR

2. INTERFERES WITH THE LOCATION OF A STRUCTURE, UTILITIES, OTHER CRITICAL SITE IMPROVEMENTS, OR CONSTRUCTION ACCESS, AND NO OTHER FEASIBLE AND PRUDENT ALTERNATIVE LOCATION EXISTS.

3. IF A MATURE TREE IS REMOVED AS DEFINED IN THIS SECTION, MULTIPLE TREES WITH DIAMETERS THAT ADD UP TO THE DIAMETER OF THE TREE BEING REMOVED SHALL BE PLANTED ON-SITE OR ELSEWHERE IN THE D.T.

IV. ANY PROPOSED PLANTING AREAS AND SPECIES SELECTION FOR STREET TREES SHALL CONFORM TO URBAN STREET TREE BEST PRACTICES INCLUDING ADEQUATE ROOT TRENCHES TO ACCOMODATE NEW SOIL VOLUME AND MINIMUM SOIL DEPTH THAT ENSURES THE LONG TERM HEALTH OF THE TREES BEING PLANTED. THE INTERIOR DIMENSION OF TREE PITS OR PLANTING STRIPS SHOULD BE A MINIMUM OF 10 FEET LONG AND 6 FEET WIDE IF THERE IS SUFFICIENT SIDEWALK WIDTH FOR PEDESTRIAN TRAFFIC. PLANTING SHOULD BE COORDINATED WITH SIGNAGE AND STREET LIGHTS TO AVOID CONFLICTS.

V. THE USE OF LIGHT COLORED OR HIGH ALBEDO SURFACES ARE SUGGESTED TO REDUCE THE HEAT ISLAND EFFECT ON THE TOP LEVEL OF PARKING STRUCTURES AND SURFACE PARKING LOTS.

VI THE USE OF NATIVE CANOPY TREES IS STRONGLY ENCOURAGED IN PARKING LOTS, DOWNTOWN OPEN SPACES AND STREETSCAPES.

VII. WHEN DESIGNING AND DEVELOPING OUTDOOR SPACES, SUSTAINABLE PRACTICES SHOULD BE USED TO REDUCE ENERGY AND WATER USE, MINIMIZE RUN OFF AND IMPROVE STORMWATER QUALITY, PREVENT AIR POLLUTION, REDUCE THE HEAT ISLAND EFFECT, AND INCLUDE GREEN SPACE TO PROVIDE RELIEF FROM THE BUILT ENVIRONMENT.

VIII. THE USE OF GREEN ROOFS, COOL ROOFS AND SOLAR PANELS SHOULD BE CONSIDERED FOR BOTH AESTHETIC AND ENVIRONMENTAL BENEFITS.

B. BLOCK CONFIGURATION/SITE DESIGN.

I. BLOCK CONFIGURATION SHOULD RESPECT ADJACENT BUILDINGS AND SHOULD RESULT IN A COHESIVE PEDESTRIAN REALM ALONG STREETS AND ALLEYS.

II. PRIMARY BUILDING FACADES SHOULD BE ORIENTED TOWARD THE STREET AND THE PEDESTRIAN REALM.

III. BUILDINGS SHOULD LINE THE SIDEWALK AND FRAME THE PUBLIC REALM.

IV. PARKING AREAS SHOULD BE SCREENED BY ARCHITECTURAL AND LANDSCAPE TREATMENTS.

V. CORNERS OF BLOCKS SHOULD BE GIVEN SPECIFIC DESIGN CONSIDERATION AND SHOULD BE EMPHASIZED BY LOCATING UNIQUE ARCHITECTURAL FEATURES, ENTRANCES, OR SPECIAL STREETScape FEATURES AT CORNER LOCATIONS.

VI. WHERE THERE ARE MIDBLOCK CONNECTIONS, PEDESTRIAN AMENITIES AND ENTRANCES TO USES SHOULD BE INCLUDED TO BREAK UP LARGE BUILDING WALL EXPANSES.

VII. PATHWAYS FROM PARKING AREAS TO THE STREET SHOULD HAVE PURPOSE, BE SAFE AND BE VISUALLY INTERESTING.

VIII. THE NUMBER OF CURB CUTS SHOULD BE MINIMIZED TO REDUCE CONFLICTS BETWEEN PEDESTRIANS AND VEHICLES.

C. PARKING.

I. STRUCTURES.

1. THE DESIGN OF PARKING STRUCTURES SHOULD BE ARCHITECTURALLY INTEGRATED WITH THE DESIGN AND STRUCTURE OF BUILDINGS THEY SERVE.

2. FACADES OF A PARKING STRUCTURE THAT ARE VISIBLE TO THE PUBLIC SHOULD BE TREATED IN SUCH A WAY AS TO MAINTAIN A HIGH LEVEL OF ARCHITECTURAL DESIGN AND FINISH, MINIMIZING BLANK WALLS.

3. FACADES ON PARKING STRUCTURES SHOULD BE ACTIVATED WITH GROUND FLOOR USES AND/OR PEDESTRIAN AMENITIES.

4. PARKING STRUCTURES SHOULD HAVE SIGNAGE THAT CLEARLY IDENTIFY PARKING OPPORTUNITIES.

5. THE HORIZONTAL AND VERTICAL ELEMENTS OF THE PARKING STRUCTURE FAÇADE SHOULD COMPLEMENT THOSE OF ADJACENT ON-SITE STRUCTURES.

6. PARKING STRUCTURES SHOULD BE DESIGNED TO CONCEAL AS MUCH AS POSSIBLE THE VIEW OF ALL PARKED CARS AND ANGLED RAMPS FROM ADJACENT PLAZAS, PUBLIC RIGHTS OF WAY, PRIVATE STREETS AND PLAZAS OR OPEN SPACES.

7. THE LOCATION OF ALL PROPOSED PARKING GARAGE ACCESS POINTS SHOULD BE PLACED TO MINIMIZE THE IMPACT TO THE PUBLIC REALM OR ADJACENT USES.

II. OFF STREET SURFACE PARKING.

1. SHADE TREES SHOULD BE LOCATED THROUGHOUT ALL SURFACE PARKING AREAS. THE USE OF NATIVE CANOPY TREES IS ENCOURAGED.

2. PROPOSED SURFACE PARKING AREAS SHOULD BE LANDSCAPED TO MEET CLASS B STANDARDS AS SPECIFIED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, WITH SCREENING WALLS OR FENCES.

3. PROPOSED LANDSCAPING, WALLS OR FENCES SHOULD REFLECT THE URBAN CHARACTER OF THE D.T. DISTRICT.

D. DOWNTOWN OPEN SPACE.

THE DRP SHALL REQUIRE, TO THE GREATEST EXTENT POSSIBLE, PROJECTS TO INCORPORATE DOWNTOWN OPEN SPACE THAT INCLUDE AESTHETICS, RECREATION, OR GREEN INFRASTRUCTURE AT THE STREET LEVEL, WITH A GOAL OF PROVIDING 5 PERCENT OF GROSS ACREAGE OF THE SITE. HOWEVER, THE DRP SHOULD DETERMINE THE QUANTITY AND QUALITY OF THE DOWNTOWN OPEN SPACE BY USING THE FOLLOWING OBJECTIVES, INCLUDING THE SIZE OF THE SITE AND USEABILITY OF THE SPACE OR OTHER REASONABLE CRITERIA.

I. DOWNTOWN OPEN SPACE IS EXTERIOR AND OPEN TO THE PUBLIC AND MAY INCLUDE PLAZAS, PUBLIC COURTYARDS, PATHWAYS, PLANTERS, STREETSCAPES, CIVIC SPACES OR GREEN SPACES THAT ALLOW FOR GATHERING, CAFÉ SEATING, ENTERTAINMENT OR ART.

II. DOWNTOWN OPEN SPACE SHOULD BE LOCATED ON-SITE AND WHEN FEASIBLE CONNECTED TO NEIGHBORING PROPERTIES TO CREATE A COHESIVE OPEN SPACE NETWORK SERVING PEOPLE WHO LIVE, WORK AND SHOP DOWNTOWN.

III. DOWNTOWN OPEN SPACE SHOULD BE PROVIDED TO GIVE RELIEF AND INTEREST TO THE STREETScape.

IV. DOWNTOWN OPEN SPACE SHOULD BE APPROPRIATE TO THE SCALE AND CHARACTER OF THE DEVELOPMENT.

V. DOWNTOWN OPEN SPACE SHOULD BE DESIGNED TO BE EASILY ACCESSIBLE TO THE PUBLIC AND PROVIDE YEAR ROUND USE WHERE POSSIBLE.

VI. DOWNTOWN OPEN SPACE SHOULD BE MADE COMFORTABLE BY USING ARCHITECTURAL AND LANDSCAPE ELEMENTS TO CREATE A SENSE OF PLACE, ENCLOSURE AND SECURITY.

VII. BLANK WALLS SHALL BE LIMITED AND DOWNTOWN OPEN SPACES SHOULD BE CONSIDERED AN INTEGRATED PART OF THE DESIGN.

VIII. THE DEVELOPMENT OF DOWNTOWN OPEN SPACES FOR BUILDING USERS SHOULD BE INTEGRATED INTO ALL DESIGN.

IX. TRASH AND RECYCLING RECEPTACLES SHOULD BE STRATEGICALLY PLACED.

X. DOWNTOWN OPEN SPACES SHOULD FEATURE ENTRANCES TO RETAIL/RESTAURANT SPACES ALONG THEIR PERIMETERS TO ACTIVATE THE SPACE.

XI. PAVING MATERIAL OF VARIED PHYSICAL TEXTURE, COLOR AND PATTERN SHOULD BE USED TO GUIDE MOVEMENT AND DEFINE FUNCTIONAL AREAS.

XII. THE USE OF NATIVE CANOPY TREES FOR SHADING AND COOLING IS STRONGLY ENCOURAGED.

XIII. DOWNTOWN OPEN SPACE SHOULD BE DESIGNED FOR ALL AGES.

XIV. BICYCLE RACKS AND STORAGE SHALL BE INCORPORATED INTO THE DESIGN OF PROPOSED DEVELOPMENT.

XV. A CONSISTENT FRAMEWORK OF MATERIALS AND TREATMENT IS SUGGESTED FOR THE PUBLIC REALM OF THE D.T. IN ORDER TO BLEND WITH WHAT HAS ALREADY BEEN BUILT AND LANDSCAPED. THESE STANDARDS ARE TAKEN FROM SECTION F (TOWSON STREETSCAPE STANDARDS) OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMDP) AND ARE AS FOLLOWS:

1. STREET TREES, 30-50 FEET ON CENTER.
2. BRICK PAVING EDGE ALONG THE CURB, 16 INCHES IN WIDTH.
3. DECORATIVE LIGHTING, 60 FEET ON CENTER.

XVI. LOCAL OPEN SPACE FEES GENERATED FROM RESIDENTIAL DEVELOPMENT IN THE D.T. DISTRICT SHALL BE USED IN THE D.T. DISTRICT.

E. BUILDING PRINCIPLES/ARCHITECTURE.

- I. A WIDE VARIETY OF APPROPRIATE ARCHITECTURAL STYLES, MATERIALS AND DETAILS THROUGHOUT THE DISTRICT ARE ENCOURAGED TO CREATE A THRIVING, ATTRACTIVE DISTRICT.
- II. NEW BUILDINGS SHOULD BE CONTEXTUAL IN SCALE AND STYLE TO THE SURROUNDING STRUCTURES, WHERE PRACTICAL
- III. VARIATION IN BUILDING SCALING AND DETAIL SHOULD RELATE TO THE SCALE AND FUNCTION OF PEDESTRIAN ACTIVE USES ALONG THE STREETS.
- IV. ALL VISIBLE SIDES OF THE BUILDING SHOULD BE GIVEN DESIGN CONSIDERATION, INCLUDING THE ROOFS.
- V. ALL BUILDING SIDES SHOULD BE DESIGNED PURPOSEFULLY.
- VI. NEW BUILDINGS SHOULD FIT WITHIN THE CONTEXT IN TERMS OF MASS AND SCALE TO ENHANCE THE CHARACTER OF A BLOCK OR STREET, WHERE PRACTICAL.
- VII. THE LOCATION OF BUILDINGS SHOULD DEFINE AND CONTAIN THE STREET SPACE IN ORDER TO CONCENTRATE AND REINFORCE PEDESTRIAN ACTIVITY.
- VIII. PORTIONS OF THE BUILDING THAT ARE NOT ALIGNED WITH THE RIGHT OF WAY LINE SHOULD BE RELATED TO THE BUILDING USES THAT COMPLEMENT PEDESTRIAN ACTIVITIES ALONG THE STREET SUCH AS PLAZAS, PATIOS, AND BUILDING ENTRIES.
- IX. DESIGN OF NEW DEVELOPMENT THAT IS DIRECTLY CONTIGUOUS TO SINGLE FAMILY RESIDENTIAL COMMUNITIES SHOULD RESPECT THE SCALE, FORM, AND DEVELOPMENT PATTERN OF THE EXISTING COMMUNITIES. SPECIFICALLY:
1. ARCHITECTURAL MASSING AND SITE DESIGN SHOULD BE CAREFULLY CONSIDERED TO ENSURE AN EFFECTIVE TRANSITION BETWEEN THE D.T. AND DIRECTLY CONTIGUOUS COMMUNITY.
 2. THE SCALE OF THE BUILDINGS THAT DIRECTLY BORDER A SINGLE FAMILY RESIDENTIAL COMMUNITY SHOULD BE REDUCED BY STEPPING BACK THE UPPER STORIES OF THE BUILDING TO REDUCE THE IMPACT ON ADJACENT PROPERTIES.
 3. BUILDING LIGHTING AND/OR STREET LIGHTING FIXTURES THAT DIRECTLY ABUT SINGLE FAMILY RESIDENTIAL COMMUNITIES SHALL BE SITED IN SUCH A WAY TO MINIMIZE LIGHT SPILLAGE INTO THE RESIDENTIAL COMMUNITY.
- X. USE OF STRUCTURAL BAYS, EXPRESSED COLUMNS, WINDOW MULLIONS, HORIZONTAL FENESTRATION ETC. SHOULD BE UTILIZED TO PROMOTE A PEDESTRIAN SCALE.
- XI. ROOFTOP EQUIPMENT SHOULD BE FULLY SCREENED FROM HORIZONTAL VIEW. SCREENINGS SHOULD BE EXPRESSED AS PART OF THE BUILDINGS COMPOSITION AND FULLY INTEGRATED ARCHITECTURALLY.
- XII. BUILDING CORNERS SHOULD BE GIVEN SPECIAL TREATMENT. THIS MAY INCLUDE SIGNATURE ENTRIES, SPECIAL ROOF SHAPES AND TALLER, ICONIC ARCHITECTURAL ELEMENTS.
- XIII. VARIATIONS IN FENESTRATION PATTERNS SHOULD BE USED TO EMPHASIZE BUILDING FEATURES SUCH AS ENTRIES, SHIFTS IN BUILDING FORM OR DIFFERENCES IN FUNCTION AND USE.
- XIV. BUILDING ROOFTOPS AND PARAPETS SHOULD ENHANCE THE CHARACTER OF THE SKYLINE AND STRENGTHEN THE IDENTITY OF INDIVIDUAL BUILDINGS.

XV. GROUND FLOOR USE SHOULD BE ACTIVATED AND ACTIVITIES IN NEW DEVELOPMENTS SHOULD BE INTEGRATED WITH EXISTING RETAIL USES AND ACTIVITIES ALONG THE STREET FRONT AND PROVIDE FLEXIBILITY FOR CHANGING MARKET DEMANDS.

XVI. THE GROUND LEVEL OF BUILDINGS SHOULD BE DEVELOPED TO PROVIDE VISUAL INTEREST TO PEDESTRIANS. THIS MEANS EITHER OUTDOOR DINING AREAS, RETAIL DISPLAY WINDOWS OR SERVICE ORIENTED ACTIVITIES THAT CAN BE VIEWED THROUGH STOREFRONT GLAZING. IF THE BUILDING FACE AT THE SIDEWALK EDGE CANNOT BE GLAZED, THEN THE BLANK WALL SHOULD BE TREATED IN AN INTERESTING WAY WITH DECORATIVE ARCHITECTURAL FINISHES, SCREENS, DISPLAY CASES, SCULPTURE, MURALS OR PLANT MATERIAL.

XVII. IF THE FAÇADE WALL IS TO BE SET BACK FROM THE PROPERTY LINE TO CREATE COURTYARDS OR NICHES, THEN OTHER ELEMENTS (SUCH AS COLUMNS, PLANTERS, CHANGES IN PAVING MATERIALS, OR RAILINGS) SHOULD BE USED TO DEFINE THE STREET WALL.

F. BUILDING MATERIALS

I. INNOVATIVE USE OF HIGH QUALITY MATERIALS SHOULD BE ENCOURAGED.

II. THE CHARACTER AND IMAGE SHOULD BE REINFORCED BY USING HIGH QUALITY MATERIALS, TEXTURE, PATTERNS, AND COLORS IN WELL-DESIGNED INNOVATIVE WAYS INCLUDING THE UTILIZATION OF NATURAL MATERIALS THAT WILL AGE WELL.

III. FINISHES AND MATERIALS SHOULD REINFORCE THOSE USED IN THAT ARCHITECTURAL STYLE ORIGINALLY, WHERE PRACTICAL.

IV. THE CONSISTENT USE OF QUALITY MATERIALS APPROPRIATE TO THE URBAN ENVIRONMENT SHOULD BE ENSURED.

V. HUMAN SCALED BUILDING SHOULD BE ENCOURAGED THROUGH THE USE OF WELL DETAILED AND ARTICULATED MATERIALS, INDIVIDUALLY AND IN COMBINATION. MATERIAL SELECTION ON THE GROUND FLOOR SHOULD BE GIVEN CAREFUL CONSIDERATION TO AID IN CREATING A PLEASING PEDESTRIAN ENVIRONMENT IN ADDITION TO BEING ABLE TO WEATHER WELL.

VI. ALL VISIBLE FACADES OF A BUILDING FROM THE PUBLIC REALM SHOULD BE TREATED EQUALLY IN TERMS OF MATERIALS, COLOR AND DESIGN DETAIL, WHERE PRACTICAL. THE BUILDING SHOULD HAVE A FINISHED APPEARANCE ON ALL SIDES.

VII. THE USE OF REPLACEMENT MATERIALS THAT IMITATE OR FALSELY REPLICATE NATURAL MATERIAL APPLICATIONS SHOULD BE AVOIDED.

G. LIGHTING

I. LIGHTING SHOULD BE USED TO PROVIDE ILLUMINATION THAT COMPLEMENTS THE AESTHETIC APPEAL AND SAFETY, THEREBY PROMOTING COMFORTABLE, SAFE PEDESTRIAN ACTIVITY AT NIGHT.

II. HIGHLIGHTING OF SIGNIFICANT ARCHITECTURAL FEATURES, TREES AND ARTWORK WITH ACCENT LIGHTING SHOULD BE CONSIDERED.

III. FIXTURES SHOULD BE DESIGNED AND INSTALLED IN SCALE AND CONTEXT WITH THE ARCHITECTURE OF THE BUILDING.

IV. LIGHT SOURCES ON PRIVATE DEVELOPMENT SHOULD COMPLEMENT LIGHTING WITHIN THE PUBLIC REALM OF THE DISTRICT.

V. LIGHTING AS A NIGHTTIME AMENITY SHOULD BE CONSIDERED.

VI. LIGHTING ASSOCIATED WITH SIGNAGE ON THE UPPER STORIES OF A BUILDING OR ON A ROOFTOP SHOULD NOT BECOME OVERWHELMING OR DOMINANT IN THE SKYLINE.

VII. FIXTURES SHALL MINIMIZE SKYGLOW, GLARE AND LIGHT TRESPASS AND CONFORM TO BEST PRACTICES AS IDENTIFIED BY THE ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA.

H. SIGNS

I. SIGNS SHALL BE ORIENTED TOWARDS AND SCALED FOR THE PEDESTRIAN REALM.

II. SIGNS SHOULD BE INTEGRATED WITHIN THE ARCHITECTURAL FEATURES OF THE FAÇADE AND COMPLEMENT THE BUILDING'S ARCHITECTURE.

III. SIGNS SHOULD NOT BE DESIGNED TO MAXIMIZE SQUARE FOOTAGE BUT INSTEAD BE TO ENHANCE THEIR GRAPHIC IMPACT TO THE PUBLIC (PEDESTRIAN REALM).

IV. SIGNS SHOULD ADD VISUAL INTEREST, FACILITATE WAY FINDING AND ENHANCE THE CHARACTER OF THE AREA.

V. SIGNS ON ROOFTOPS AND THE UPPER STORIES OF A BUILDING SHOULD HAVE A PROPORTIONAL RELATIONSHIP BETWEEN THE SIZE OF THE BUILDING AND THE SIZE OF THE SIGN. THESE TYPES OF SIGNS SHOULD HAVE A CORRESPONDING DESIGN TO THE BUILDING ARCHITECTURE AND NOT BECOME OVERWHELMING OR DOMINANT IN THE SKYLINE.

VI. SIGNAGE SHOULD BE LOCATED AND DESIGNED TO AVOID CONFLICTS WITH STREET TREES AND STREET LIGHTS.”

8. On page 32, in line 2, strike “The” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II), THE” in line 3 strike “[nonresidential] Development Plan” and substitute “PROPOSED DEVELOPMENT”
9. On page 32, in line 9, strike “The” and substitute “FOR A PROPOSED DEVELOPMENT THAT INVOLVES A DEVELOPMENT PLAN, THE DESIGN”
10. On page 33, in line 1, strike “REVIEW. A [nonresidential]” and substitute “NONRESIDENTIAL PROPOSED DEVELOPMENT. A NONRESIDENTIAL PROPOSED”
11. On page 33, in line 14, strike “[plans.] and substitute “PROPOSED”
12. On page 34, strike lines 15 through 19; in line 20, strike “(5)” and substitute “(3)”
13. On page 35, in line 4, after “approved” insert “BY THE HEARING OFFICER”; in line 5, after “Act” insert “, or to a development project for which a concept plan, limited exemption plan, or Planned Unit Development application was filed prior to August 30, 2016,”
14. On page 35, in line 10, strike “15” and substitute “29”

Councilman Jones seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Jones, Bill 49-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 50-16, This Bill was withdrawn prior to the meeting.

F. APPROVAL OF FISCAL MATTERS

The Chairwoman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on July 21, 2016. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairwoman Almond then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 10.

1. Contracts - (3) - Temporary Construction Inspectors - DPW

Three contracts to provide temporary construction inspectors with specific areas of construction experience to inspect construction projects for the Department of Public Works.

2. Amendment to Contract - Home Paramount Pest Control Company - On-call Pest Management Services - Rat eradication-PAI

A contract with Home Paramount Pest Control Company, to provide integrated pest management services for the control and eradication of rats in County communities on an on-call, as-needed basis.

3. Contract - Pinnacle Communications Resource Company - Outreach & educational services - environmental issues-DEPS

A contract with Pinnacle Communications Resource Company, a Limited Liability Company, to provide outreach and educational services regarding environmental issues. The on-call communications consultant will be developing a strategy, and the necessary outreach materials, they will pilot test the developed materials, and they will quantify pollutant reduction that results from human behavior change as a result of the education and outreach delivery services.

4. Contract - Hope Health Systems, Inc. - Outreach, early intervention & treatment for Seniors - Mental Health - HHS

A contract with Hope Health Systems, Inc., to provide outreach, early intervention and treatment for Baltimore County seniors, age 60 and older, that have late onset mental health needs countywide.

5. Contract - NAMI Metropolitan Baltimore, Inc. - Family-to-Family Program - HHS

A contract with NAMI Metropolitan Baltimore, Inc., to provide the Family-to Family Program in Baltimore County for family members and caregivers of individuals with severe mental illness.

6. Contract - WGL Energy Services, Inc. - Electric Supply Services - OBF

A contract with WGL Energy Services, Inc., to provide electric supply services.

7. Contracts - (2) - On-call Carpentry Services - OBF

Two contracts with Hayes Construction Company and Colossal Contractors, Inc., to provide carpentry services on an on-call, as-needed basis at various County-owned and/or operated buildings.

8. Contract - Classic Lawn and Landscape, Ltd. - Maintenance and repair of irrigation systems - OBF

A contract with Classic Lawn and Landscape, Ltd., to provide for the maintenance and repair of irrigation systems at various County-owned and/or operated sites.

9. Lease Agreement - The Emanuel Baptist Church, Inc. - REC

A lease agreement with The Emmanuel Baptist Church, Inc., to lease Lot 48, titled "Cherry Heights", on Linden Avenue, in Baltimore, Maryland 21206, to Emmanuel Baptist Church, for \$1.00 per year for three years, with the option to purchase within the third year.

10. Contract - On Our Own, Inc. - Peer run Recovery Community Center (RCC) - Dundalk - HHS

A contract with On Our Own, Inc., to provide a peer run, Recovery Community Center (RCC) in the Dundalk area of Baltimore County. The contractor will provide recovery support services to County residents, 18 years and older, with substance use disorders, who are voluntarily seeking recovery, or those already in mid, early or later stage recovery, and their family members.

There being no discussion, upon motion by Councilman Jones, seconded by Councilman Kach, Fiscal Matters 1 through 10 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chairwoman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during May, 2016.

2. Res. 78-16 - Revenue Bond - Maryvale Preparatory School

At the direction of the Chairwoman, the Secretary read this Resolution adopted pursuant to the Maryland Economic Development Revenue Bond Act to provide for the issuance and sale by Baltimore County, Maryland as its limited obligations and not upon its faith and credit or pledge of its taxing power, of one or more series of its bonds in an aggregate principal amount not to exceed \$10,000,000, for the purpose of refunding certain bonds previously issued by the County, refinancing the costs of the acquisition and improvement by Maryvale Preparatory School, Incorporated of certain facilities located at 11300 Falls Road in Baltimore County and used by Maryvale Preparatory School, Incorporated in its business of ownership and operation of an independent school and financing the costs of issuing the bonds; providing for the issuance and sale of notes in anticipation of the issuance and sale of such bonds; authorizing the County Executive or the County Administrative Officer, by executive order or otherwise to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such bonds; providing that neither the bonds nor any interest or premium thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of Baltimore County, Maryland within the meaning of any constitutional or charter provision or statutory limitation and that neither the bonds nor any interest thereon shall ever constitute or give rise to any pecuniary liability of Baltimore County, Maryland; and generally specifying and describing various matters in connection therewith, as required or permitted by such Act. Will Anderson appeared. There being no discussion, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

3. Res. 79-16 - Maryland Faith Community Network

At the direction of the Chairwoman, the Secretary read this Resolution of the Baltimore County Council for the purpose of commending the local faith community, Northwest Hospital and LifeBridge Health, and the Maryland Citizens' Health Initiative Education Fund for their commitment to improving public health throughout Baltimore with the Maryland Faith Community Health Network. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Kach, this Resolution was unanimously approved.

4. Res. 80-16 - Planned Unit Development - The Villages of White Marsh

At the direction of the Chairwoman, the Secretary read this Resolution of the Baltimore County Council to approve the review of a proposed planned unit development in accordance with County law. Councilman Marks commented and moved to amend this Bill with the following amendments:

1. On page 2, in the third line, after "opportunities", insert " , and with strong streetscaping provided along major roads within the development"

2. On page 3, in the sixth line, strike " ; and" and substitute the following:

"and extending the Northeast Trail to White Marsh Boulevard; and

WHEREAS, Applicant originally proposed a trail system extending into the designated Recreational Greenway and along White Marsh Run. The Department of Environmental Protection and Sustainability expressed some concern about having trails within the stream buffer areas. Instead of those trails, Applicant now proposes to provide a

bicycle/pedestrian pathway (which will become a portion of the Northeast Trail) within a proposed park area to be offered for dedication to Baltimore County. This pathway will extend through the property in a north-south direction; and”

3. On page 3, in the second WHEREAS clause strike “8” and substitute “20”; in the third line, strike “an athletic field” and substitute “public use”; in the same line, after “Park” insert “, which will connect to and include the area of designated Recreational Greenway on the property”; in the fourth line, strike beginning with “from the northern end” down to and including “Judge” in the tenth line and substitute “from just south of White Marsh Boulevard to the existing trail terminus on Perry Hall Boulevard, as shown on the attached drawing. This pathway will become a portion of the Northeast Trail. Signage (similar to that located at Perry Hall High School) will be placed at either end of the trail section”

4. On page 4, strike the first WHEREAS clause in its entirety.

5. On page 4, in the seventh WHEREAS clause, after “2020” insert “. To the extent the South Perry Hall-White Marsh Area Plan varies from Master Plan 2020, the visions and goals of Master Plan 2020 shall govern”

6. On page 4, in the first line of the eighth WHEREAS clause and in the eleventh line on page 5, strike “8” and substitute “20”

7. On page 5, in line 1, strike beginning with “from the northern end” down to and including “Judge” in the seventh line and substitute “from just south of White Marsh Boulevard to the existing trail terminus on Perry Hall Boulevard, as shown on the attached drawing. This pathway will become a portion of the Northeast Trail. Signage (similar to that located at Perry Hall High School) will be placed at either end of the trail section”; in the eleventh and twelfth lines, strike “to be dedicated to the County shall be counted towards” and substitute “offered for dedication to the County shall satisfy”

Councilman Kach seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Kach, Resolution 80-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

5. Res. 81-16 - Property Tax Exemption - DAV - Lewis E. Marcum

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Lewis E. Marcum, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Crandell, this Resolution was unanimously approved.

6. Res. 82-16 - Property Tax Exemption - DAV - Juanita Wilson

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Juanita Wilson, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Crandell, this Resolution was unanimously approved.

7. Reappointments -(4) - Baltimore County Animal Hearing Board

At the direction of the Chairwoman, the Secretary read this correspondence from the County Executive requesting the reappointment of Carolyn Owens, Katherine R. Jeschke, Leslie Kaminski and Lisa Sudano-Luther, to the Baltimore County Animal Hearing Board. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Jones, these reappointments was unanimously approved.

8. Appointment - Baltimore County Adult Public Guardianship Review Board - Donald A. Gabriel

At the direction of the Chairwoman, the Secretary read this correspondence from the County Executive requesting the reappointment of Donald A. Gabriel, to the Baltimore County Adult Public Guardianship Review Board. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Kach, this reappointment was unanimously approved.

9. Res. 83-16 - Payment in lieu of taxes—written agreement – Lyon Homes Preservation, LLC

This Resolution was for introduction only.

10. Res. 84-16 - Approval of loan – Lyon Homes Preservation, LLC – Turner Station Area

This Resolution was for introduction only.

11. Res. 85-16 - Accept a gift for the Emergency Communications Center (911 Center)

This Resolution was for introduction only.

12. Res. 86-16 - Accept a monetary gift for the Emergency Communications Center (911 Center)

This Resolution was for introduction only.

13. Res. 87-16 - Local Open Space Waiver Fees

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Quirk, seconded by Councilman Crandell, the meeting adjourned at 6:43 P.M.


Thomas J. Peddicord, Jr.