



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## BOARD of APPEALS AGENDA

City Hall Council Chambers

July 11th, 2024

6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Old Business**

- a. Discussion of adopted and amended “Rules and Procedures” for the Board of Appeals per [§25-16\(H\)](#)

4. **New Business**

- a. **BoA No.** 545  
**Permit No:** 2024-0458  
**Location:** 2000 Level Road aka Mt. Felix  
**Owner:** Peter and Mary Ianniello  
**Applicant:** Tom Miner  
**Parcel No:** 443 (14.68+/- Acres)  
**Zoning:** RB/Residential Business

**Description:**

2024-0458 – Peter Ianniello – 2000 Level Road. To hear a request by the Applicant of 2000 Level Road aka Mt. Felix for a variance request within the [RB/Residential Business](#) zoning district to go from three (3) parking spaces per Multifamily “Condominiums” Dwelling unit to two (2) parking spaces per Condominium unit as shown on Table-I in §122-Off-street Parking and required by [§122-6\(A\)](#). The applicant will need to show the request meets the findings under [§25-17\(C\)](#).

- b. Any comments from the general public regarding 2000 Level Road (3 minutes per speaker)

5. **Adjournment**

The public is invited to attend and observe the meeting. The meeting may be viewed live by visiting the City of Havre de Grace website at [www.havredegracemd.com](http://www.havredegracemd.com) and click on the City YouTube Videos tab. The video will be available to view immediately following the meeting.



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

WWW.HAVREDEGRACEMD.COM

410- 939-1800

June 18, 2024

## **DEPARTMENT OF PLANNING STAFF REPORT**

**BOARD OF APPEALS**      **Case No. 545**

**PERMIT NO.**                      **2024-0458**

**PROJECT:**                              Subdivision

**OWNER**                                      Peter & Mary Ianniello  
2000 Level Road  
Havre de Grace, Maryland 21078

**APPLICANT:**                              Tom Miner  
Frederick Ward and Associates  
5 South Main Street  
Bel Air, MD 21014

**ATTORNEY:**                              Bradley R. Stover, Esquire  
124 North Main Street  
Bel Air, Maryland 21014

**LOCATION:**                              2000 Level Road (known as Mt. Felix)  
Tax Map: 44 / Parcels: 443

**AREA:**                                      14.68+/- Acres (Lot 1: 4.44acres & Lot 2: 10.24acres)

**ZONING:**                                      RB/Residential Business

**DATE FILED:**                              May 22, 2024

**HEARING DATE:**                              July 11, 2024 – Board of Appeals

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### **APPLICANTS' REQUEST:**

The Applicant is requesting a Variance from the strict application of [§122-7](#). The request is for reducing the total amount of parking required by [§122-6\(A\)](#) from three (3) spaces to two (2) spaces for Multifamily Dwellings “condominiums” (Attachment 1) on the subject property. According to [§122-4](#) the Board of Appeals has the ability to reduce the number of parking spaces required by Chapter 122: off-street parking, upon review and approval.

The Applicant's justification (Attachment 1) states excessive parking requirements per §122 cannot be complied with due to stringent parking lot buffer requirements per §102-9, zoning setbacks per §205-27(E) Lot Type 'F' and 15% or greater steep slopes on site as hardships for new multifamily residential development.

### **ZONING & ADJACENT USES:**

The subject property is zoned [RB/Residential Business](#) as shown on the enclosed copy of the Zoning Map (Attachment 6). The subject property is also surrounded by properties in the RB/Residential Business zoning district. Multifamily Dwelling units are allowed as a Conditional Use (CU) under [§205-27\(E\)](#). On September 7, 2023, the Board of Appeals approved the request for a CU to permit "Multifamily Dwellings" on the subject property, see Case number 536, without conditions in (Attachment 7).

### **EXISTING LAND USE & ENVIRONMENTAL FEATURES:**

The subject property (parcel 443) is located south of MD155-Level Road and is approximately 14.68 acres in entirety with 10.24 acres (Lot 2) allocated for residential development. The subject property is adjacent to the recently approved 144 lot Sion Hill Estates residential development on the southside which is in early construction. The 50-acre MD Environmental Trust Easement (#0189GRE90.HARF) is located on the eastside of the subject property and the existing Mt. Felix Winery located on the remaining 4.44 acres (lot 1) on the northside of the subject property as seen on the enclosed maps. The subject property is currently being used for agricultural (vineyard) purposes, but was slated for residential development per the 2014 Annexation Resolution and amended 2020 Annexation Resolution 277. There are steep slopes above 15% and hydric soils located on lot 1 of the subject property that are not advisable for residential dwelling development. Attached to this report is a Concept Subdivision Plan, 2024 Aerial Photograph, Soils Map, Slopes Map and Site Photos (Attachments 2-5, respectively).

### **PROPOSED LAND USE & COMPREHENSIVE PLAN ANALYSIS:**

The Applicant is proposing to develop 96 Multifamily dwellings (condominiums) and 50 Townhouses at the subject property.

The previous Comprehensive Plan does not mention the subject site. However, the 2024 Draft Comprehensive Plan (in review) shows this area as being developed as medium-density residential. The concept plan shows 16 units per acre for townhouses, and 22 units per acre for condominiums, which is in line with medium-density residential. The approved SCP also identifies this area as multifamily housing

Multifamily dwellings (condominiums) are subject to current parking regulations outlined in Chapter 122 of the City code and all required parking should lie within the proposed condominium development area. The three-parking space minimum for new residential development was created to deter high-density residential development in the historic downtown as stated in the "WHEREAS" section of Ordinance 974 (Attachment 9). Moreover, after submitting the draft 2024 Comprehensive Plan to the Maryland Department of Planning for review, they further recommended the three-parking space requirement be reduced (Attachment 10).

**SINGLE CONCEPT PLAN:**

The subject property was annexed in 2014 under Annexation Resolution 277 (AR277) with several other surrounding properties. One requirement of AR277 was the requirement that all owners agree on a “Single Concept Plan” (SCP). The City and the respective owners agreed to the terms of amended Resolution 2020-16 (Attachment 8) in 2020. No conditions from the Board of Appeals can conflict with the 13 SCP conditions without Mayor and City Council review and approval. A parking variance is within the Board of Appeals power to hear, deny, or approve with conditions. The Applicant’s variance request does not constitute a material change from the SCP as it was already identified as multifamily housing.

**REVIEW OF APPLICABLE CODE SECTIONS:**

[§25-17\(C\)](#) of the City Code is applicable to this request concerning a variance for parking reduction and from the strict adherence to chapter 122. The Department of Planning has reviewed and examined the required findings and offers the responses found below:

Section 25-17(C)

*Variances. A variance from the terms of this article may be authorized by the Board of Appeals upon proof by the evidence of record. If a conflict between this statute and state law exists, the state law prevails. The Board shall not grant a request for a variance unless the Board finds:*

- 1) *Because of unique physical conditions, such as the irregularity, narrowness or shallowness of lot size and shape, or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility in pursuing the proposed use or developing the lot in strict conformance with zoning regulations; and:*

The proposed residential subdivision lot 2 is typical in relation to physical, environmental, and zoning development constraints (Attachments 3-5). However, lot 1 does contain physical and environmental conditions. If required to expand for additional parking to meet the three-parking space minimum for new residential development the site conditions would adversely affect development due to the steep slopes (exceeding 15%), hydric soils and existing structures within lot 1.

- 2) *Because of exceptional circumstances other than financial considerations, the granting of a variance is necessary to avoid practical difficulties of unnecessary hardship, and to enable the applicant to pursue the proposed use or development of the lot; and:*

As stated previously, the Applicant’s variance requests are due to the physical hardships identified in Attachment 1 on the subject property. Lot 2 of the subject property is typical in physical lot configuration, environmental constraints and in relation to the surrounding properties. Development in strict conformance to City code is feasible. However, given the exceptional parking minimums per Chapter 122 of the City code presents a practical difficulty that warrants additional thought and consideration. Any additional parking would need to be constructed on lot 1 where physical constraints exist.

- 3) *The literal enforcement of the ordinance would result in practical difficulty or unreasonable hardship; and:*

As discussed previously, strict literal enforcement of the parking ordinance is not feasible within lot 2 and would require expanding into lot 1. This will warrant practical difficulties and unnecessary hardship.

- 4) *Granting the relief requested would not do substantial injury to the public health, safety and general welfare and is the minimum relief to permit the petitioners' use or development of the lot.*

The minimum relief (2.4 parking spaces-as submitted) would not cause substantial injury to the general welfare of the public and is the minimum relief necessary to permit development of the subject property.

Ordinance 974 specifically identifies residential development and parking issues east of US40 (i.e. the historic district and downtown area) when discussing why the minimum parking standards were created. Therefore, a variance from the parking minimum at the subject property warrants further consideration and exploration since the property is west of US40 and the intent of Ordinance 974 was focused on the downtown area of the City

#### **VARIANCE REQUEST JUSTIFICATION:**

The Applicant is proposing a total of 146 dwelling units on 10.44 acres within the City's densest zoning district as part of an overall SCP. The Applicant is requesting the variance due to the hardship in terms of topographical constraints as well as buffer yard requirements from adjacent properties. However, the parking ordinance stipulating three parking spaces are required for new residential development was adopted on 11/16/2015 by Ordinance No. 974 to address overcrowding issues in an area east of Pulaski Highway (US40) with already limited parking that may cause a nuisance and adversely impact the quality of life for the residents and visitors within the downtown area. The subject property is outside of the intended area of impact for this ordinance.

Furthermore, Ordinance 974 was drafted prior to AR277 and predates the 2020 SCP agreement. The purpose of §122 is to provide for ample parking focused in the downtown area and "the required parking area located within the confines and boundaries of the lot or tract of land on which the building, structure or use is located" east of US40. This can be achieved though better design with greater design flexibility without compromising the parking ordinances spirit for ample parking east of US40 in the downtown area.

#### **RECOMMENDATION & SUGGESTED CONDITIONS OF APPROVAL:**

The Department of Planning recommends APPROVAL at the minimum relief necessary which is 2.4 parking spaces as shown on the submitted subdivision concept plan and believes the Applicants' variance request for reduced parking warrants a more in-depth examination and possibly legislative recommendations to Mayor and Council if the Board deems appropriate, after hearing the findings requirements under Chapter 25-17(C) by the Applicant for a variance as presented during the hearing. Furthermore, any additional amount of parking reduction beyond the minimum relief necessary shall be discussed and decided upon during the hearing by the Board in collaboration with the Applicant and Department of Planning for appropriate parking reduction.

The Applicant is requesting a reduction from three spaces to two spaces per condominium unit. However, the minimum relief necessary per [§25-17\(C\)\(4\)](#) is 2.4 parking spaces. If the Board of Appeals is to utilize the parking scheme as shown in the current subdivision concept plan which is 2.4 parking spaces per multifamily unit. The concept shown in Attachment 1 provides 238 parking spaces all contained within lot 2. The Applicant would be able to avoid going into the physically difficult areas in lot 1 as previously mentioned. The Board of Appeals could consider a further reduction below the 2.4 parking spaces per unit provided if the Applicant can show the hardships created on Lot 2 if they were to strictly follow the off-street parking requirements.

Since the Applicant will need to meet the requirements of the City's APF Ordinance, and receive approval from the Planning Commission on other City development requirements, no additional conditions are being recommended at this time. Further Planning Commission and staff review of the actual development will be subsequently required prior to Planning Commission review and approval.

Sincerely,

<hr/>	07/03/2024
Eric V. Lawrence, MLA & MUDP	Date
Associate City Planner	
Department of Planning	

cc: Mayor and City Council  
Board of Appeal Members  
Department of Planning Staff  
Department of Public Works Staff  
Planning Commission Members

Dave Sobczak, Crosswinds Landing LLC  
Katelyn Pierce, PLA ASLA  
Tom Miner, PE, CCM  
Bradley Stover, Esquire – Attorney

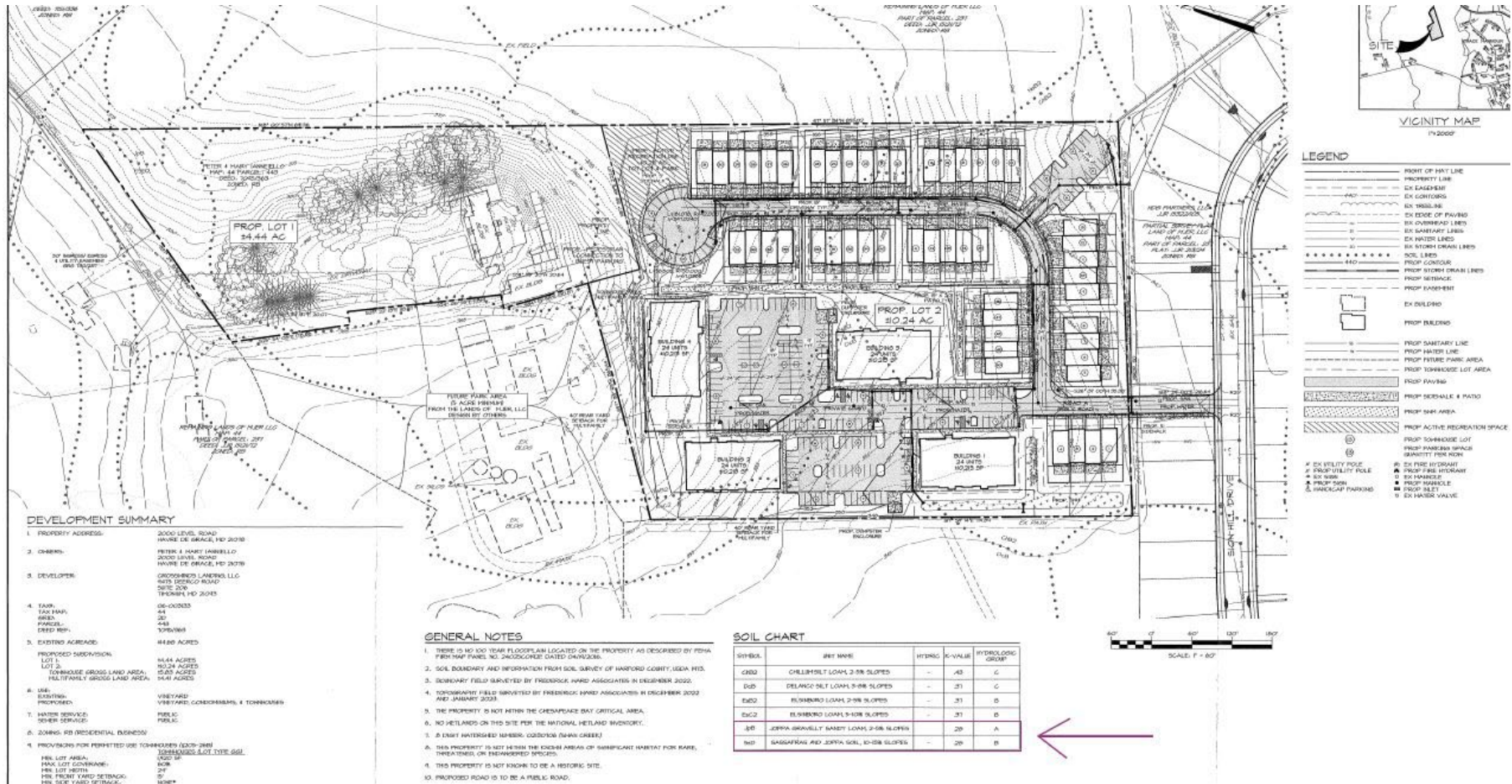
**ATTACHMENT 1  
APPLICANTS REQUEST & JUSTIFICATION (2024)**

**JUSTIFICATION FOR BOARD OF APPEALS APPLICATION**

The Applicant seeks approval for a parking reduction for multi-family units, to be reduced from the three (3) parking spaces per unit, as set forth in Section 122-6.A of the City of Havre de Grace Zoning Code. The variance sought by Applicant is to reduce the required number of parking spaces to two (2) parking spaces, per multi-family unit.

The subject property is unique, insofar as it has topographical constraints, as well as buffer yard requirements from adjacent properties, that render the usable portion of the Subject Property irregular in shape. The unique configuration and placement of the environmental buffering properties around the subject parcel provide a special condition where parking as outlined in the code is not appropriate to the use with the surrounding conditions. It would impose a hardship upon the Applicant to strictly impose the parking requirements of the Code, insofar as the uniqueness thereof limits the ability to provide ample on-site parking to meet the provisions of the Code. The Applicant is not seeking more relief than required. The hardship was not created by the Applicant, insofar as the Applicant is not responsible for the topography, irregular shape or buffer yard requirements on the Subject Property and the bufferring provided on the surrounding properties. The request should have no adverse impact on adjacent properties, given the buffer yard requirements thereof.

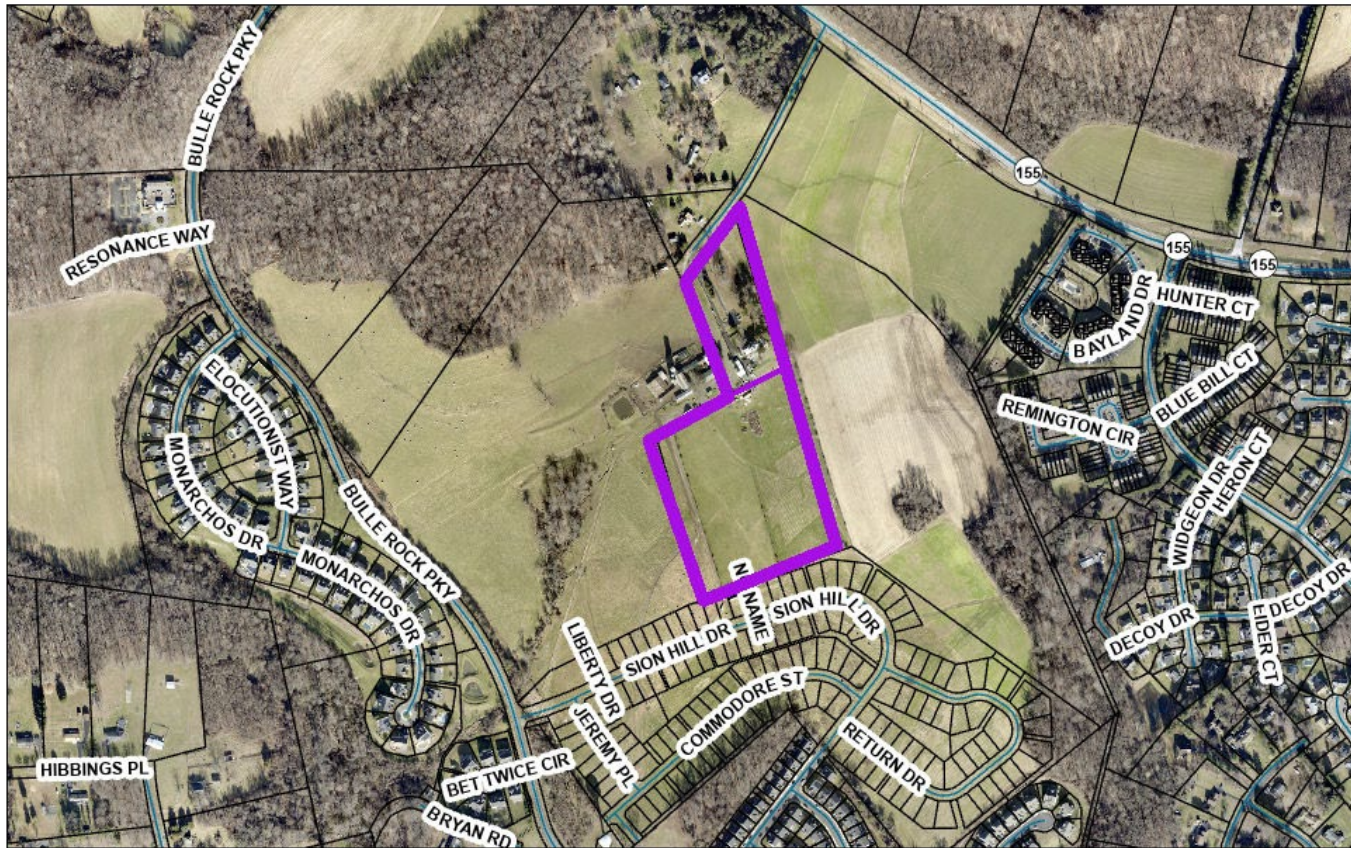
## ATTACHMENT 2 CONCEPT SUBDIVISION PLAN (2024)





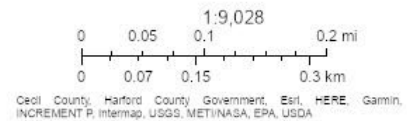
### ATTACHMENT 3 AERIAL (2024)

2024 Aerial



5/23/2024, 4:18:18 PM

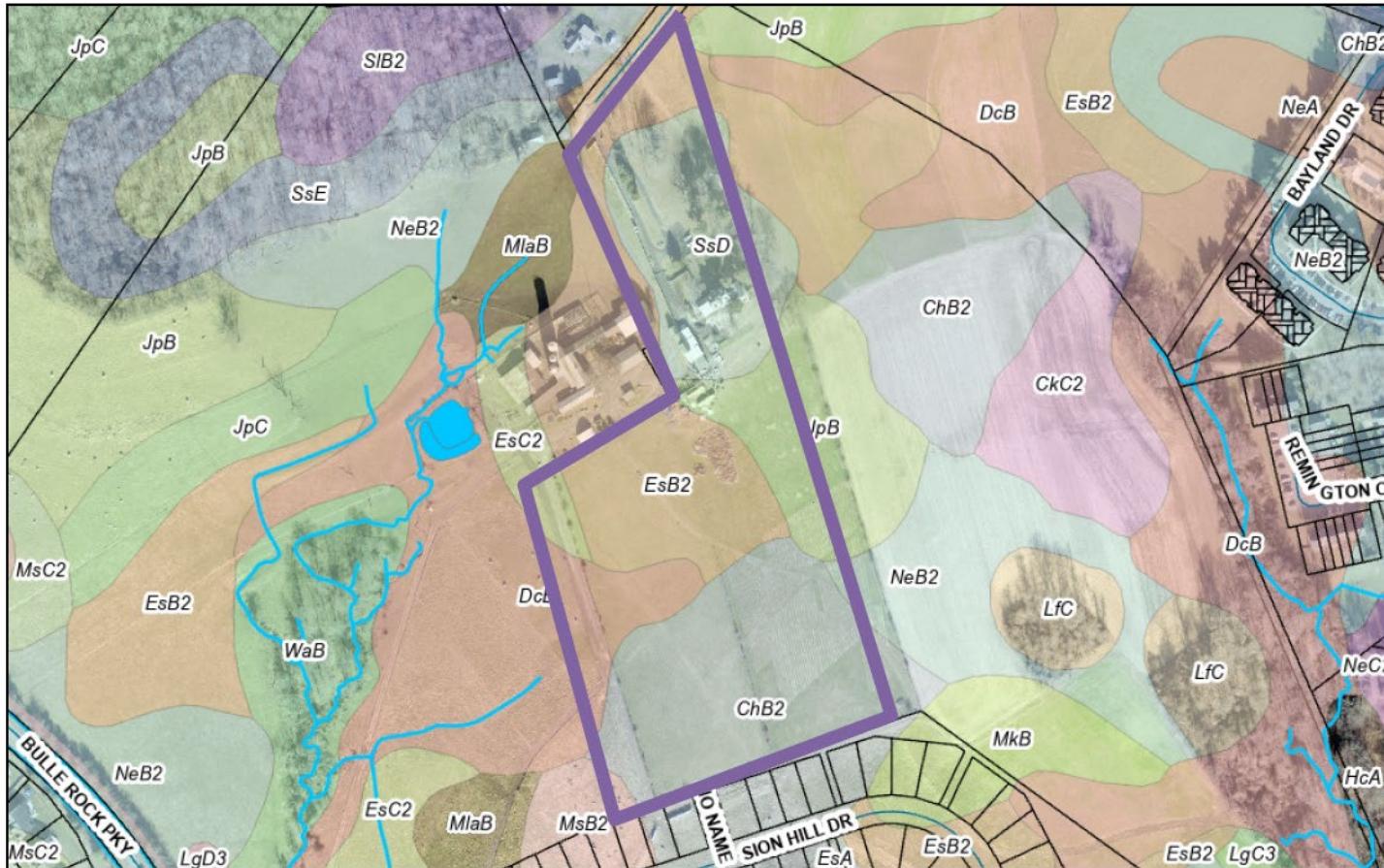
- Centerline
- Cadastral
- Harford County Boundary



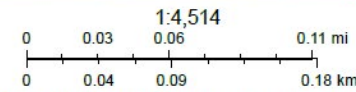
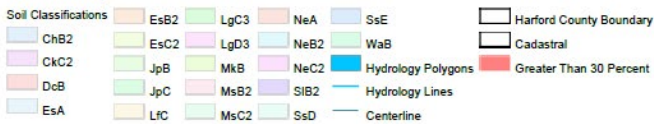
Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

### ATTACHMENT 4 SOILS (2024)

2024, Mt. Felix-Slopes & Soil



5/31/2024, 11:25:23 AM



Cecil County, Harford County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

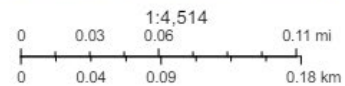
Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

### ATTACHEMNT 5 SLOPES (2024)

2024, 15% Slopes



5/31/2024, 9:07:30 AM



Cecil County, Harford County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

**ATTACHMENT 5.a**  
**FACING NORTH (05.31.2024)**



**ATTACHMENT 5.b**  
**FACING WEST (05.31.2024)**

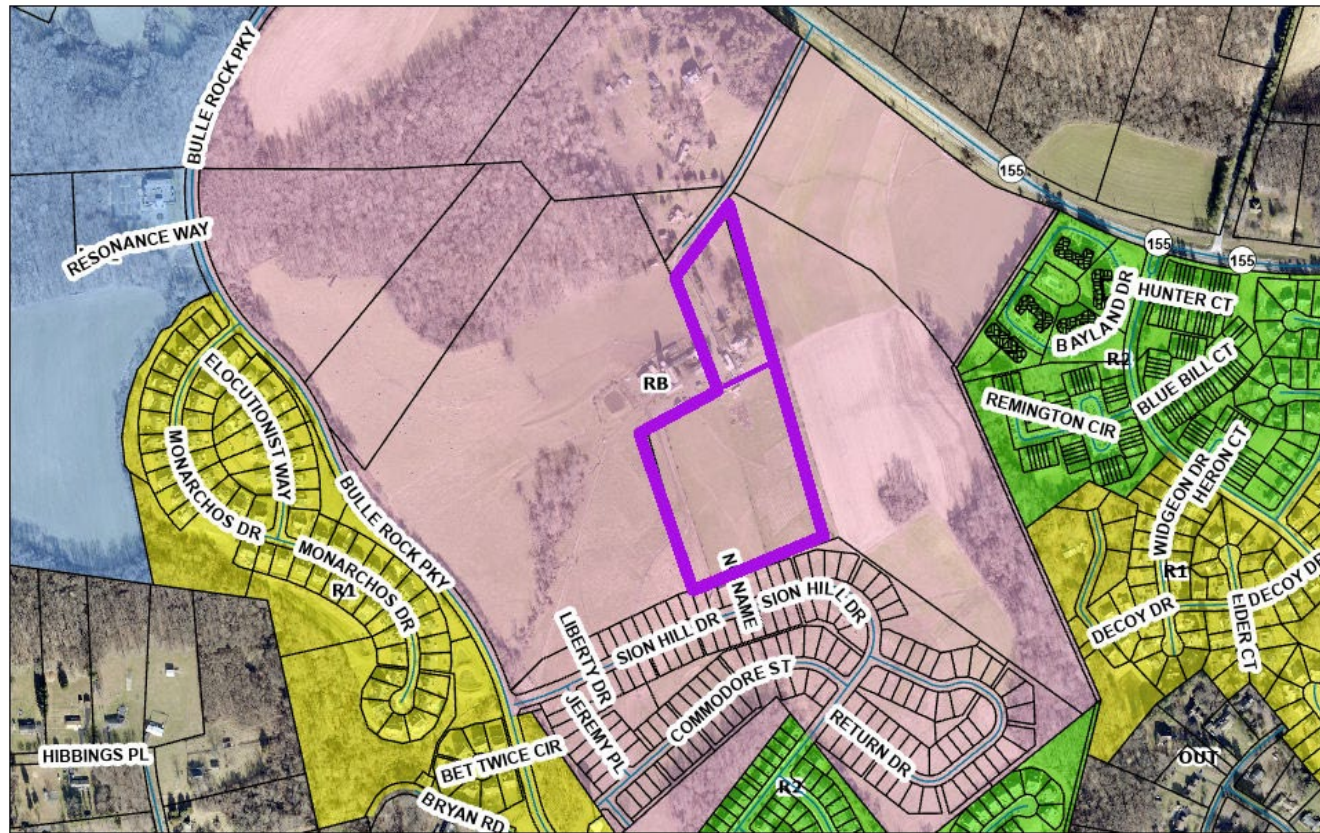


**ATTACHMENT 5.c**  
**FACING EAST (05.31.2024)**

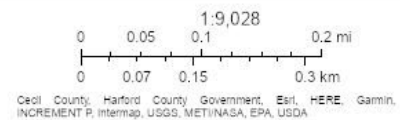


## ATTACHMENT 6 ZONING MAP (2024)

2024 Zoning Map



5/23/2024, 4:15:06 PM



Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS |

**ATTACHMENT 7**  
**BOARD OF APPEAL 536: CONDITIONAL USE APPROVAL LETTER (2023)**



## City of Havre de Grace

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711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410- 939-1800

September 11, 2023

Peter and Mary Ianniello  
2000 Level Road  
Havre de Grace, Maryland 21078  
**SENT VIA EMAIL**

**RE: BOARD OF APPEALS Case No. 536**  
**Findings and Results**

Mr. and Mrs. Ianniello,

The Board of Appeals heard Case Number 536 on September 7, 2023, per your request for conditional use approval for “dwellings, multifamily”, under Section 205-27 of the City Code. The Board of Appeals APPROVED of your request 5-0 without conditions. The proposed development plan was not considered by the Board of Appeals and full review is still required under City Code.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Tim Bourcier, AICP  
Director of Planning

Cc: Marisa Willis, Planning Technician  
Eric Lawrence, Associate Planner  
Colleen Critzer, Permits Clerk  
Bradley R. Stover, Attorney  
Tom Miner, Frederick Ward Associates



**ATTACHMENT 8  
 SINGLE CONCEPT PLAN**



**CONCEPT PLAN CONDITIONS**

PER AMBEXATION RESOLUTION NO. 271, THE HAYWARD AND CITY COUNCIL OF HAYWARD DE GRACE, HAYWARD, HAS DETERMINED THAT THE AMBEXATION OF THE 244.912 ACRES OF LAND, MORE OR LESS, INCLUDING LAND OF GREEN, IANIELLO, PATRONE, AND JOHNSON IS IN THE BEST INTEREST OF THE HEALTH AND WELFARE OF THE CITIZENS OF HAYWARD DE GRACE.

ALL DRAINAGE DRAINAGE ARE PROVIDED ON THE CONCEPT PLAN THAT MEET THE REQUIREMENTS OF ANY APPLICABLE LOCAL ORDINANCES AND THE HAYWARD DE GRACE CITY ENGINEER'S REVIEW AND APPROVAL OF THE CONCEPT PLAN FOR THE PROPERTY TO BE REVIEWED BY THE HAYWARD DE GRACE CITY ENGINEER AND CITY COUNCIL.

THE SINGLE CONCEPT PLAN SHALL SHOW PROPOSED LOTS.

\*\*\*NEED TO SHOW THE SHARED DRIVEWAY & 20' BUFFER ZONE OF THE PROPERTY BOUNDARY FOR OPEN SPACE.

THE MINIMUM BALANCE OF THE PROPOSED PROPERTY BOUNDARY BOUNDARY LINES AND SHARED DRIVEWAY SHALL BE MORE THAN TWO-TENTHS (2/10) OF THE MINIMUM BALANCE DETERMINED TO ESTABLISH THE USE.

ON THE PROPERTY THERE SHALL BE DEVELOPMENT TO BE USED TO A MINIMUM OF 10% OF THE AREA AS OPEN SPACE, INCLUDING ANY AREA ASSET FOR PROPOSED OR EXISTING OPEN SPACE.

THE PROPOSED OPEN SPACE SHALL BE USED TO PARTIALLY SATISFY THE REQUIREMENTS THAT THE QUANTITY OF THE PROPERTY BE USED FOR OPEN SPACE.

**NOTE 1**

THE SINGLE CONCEPT PLAN DEPICTS THE PROPOSED LOCATION OF ROADS AND UTILITIES WHICH ARE SUBJECT TO BE DEVELOPED BY THE CITY IN THE FUTURE. THESE ARE NOT TO BE CONSIDERED AS FINAL. THE SINGLE CONCEPT PLAN IS FOR INFORMATIONAL PURPOSES ONLY. THE CITY ENGINEER'S REVIEW AND APPROVAL OF THE CONCEPT PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED IN THE CONCEPT PLAN. THE CITY ENGINEER'S REVIEW AND APPROVAL OF THE CONCEPT PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED IN THE CONCEPT PLAN. THE CITY ENGINEER'S REVIEW AND APPROVAL OF THE CONCEPT PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED IN THE CONCEPT PLAN.

**BAY STATE LAND SERVICES**  
 Civil & Structural Engineers  
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 Environmental Engineers  
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3122 Park Spring Lane  
 Forest Hill, Maryland 21058  
 Phone: 410-434-8800  
 Fax: 410-434-8808  
 www.baystateland.com

SINGLE CONCEPT PLAN - REVISION 5  
 AS APPROVED BY THE CITY COUNCIL OF HAYWARD DE GRACE AND AMENDED ON 10/20/20  
**GREEN - PATRONE - IANIELLO - JOHNSON**  
 PROPERTIES  
 CITY OF HAYWARD DE GRACE, MD.  
 HAYWARD COUNTY, MARYLAND

GREEN	PATRONE	IANIELLO	JOHNSON
DATE: 11/2/20	DATE: 11/2/20	DATE: 11/2/20	DATE: 11/2/20

NO.	DATE	DESCRIPTION	BY	DATE
1	11/2/20	PROPOSED SINGLE CONCEPT PLAN SUBMITTED TO HAYWARD DE GRACE CITY ENGINEER FOR REVIEW AND APPROVAL.	J. PATRONE	11/2/20
2	11/2/20	PROPOSED SINGLE CONCEPT PLAN SUBMITTED TO HAYWARD DE GRACE CITY ENGINEER FOR REVIEW AND APPROVAL.	J. PATRONE	11/2/20
3	11/2/20	PROPOSED SINGLE CONCEPT PLAN SUBMITTED TO HAYWARD DE GRACE CITY ENGINEER FOR REVIEW AND APPROVAL.	J. PATRONE	11/2/20

**ATTACHMENT 9  
PARKING ORDINANCE NO. 974 (2015)**

Ordinance No. 974 (AS AMENDED)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND CITY CHARTER SECTION 34 AMENDING THE HAVRE DE GRACE CITY CODE SECTION 122-6 THE OFF STREET PARKING ORDINANCE.

WHEREAS, the Mayor and City Council have received numerous complaints of a lack of parking spaces available in the City in two general locations, first being downtown east of U.S. Route 40 and in developments which make use of cul de sacs; and

WHEREAS, the Mayor and City Council have an off street parking ordinance that addresses the requirements for off street parking in the City of Havre de Grace; and

WHEREAS, the Mayor and City Council have determined that an amendment to the off street parking ordinance will reduce the impact of a lack of available parking spaces caused by future development in the City.

NOW THEREFORE, be it determined, decided and ordained by the Mayor and City Council of Havre de Grace that Section 122-6A of the City Code is amended as follows with the language in bold and caps to be added and the language in bold and underline to be deleted as follows:

1. Section 122-6. Number of spaces required; **Parking Fund.**

The applicant for any building permit or use and occupancy permit shall demonstrate that off-street parking spaces are provided as follows:

**ATTACHMENT 10.a**  
**MARYLAND DEPARTMENT OF PLANNING - ENVISION HAVRE DE GRACE 2024**  
**DRAFT COMPREHENSIVE PLAN REVIEW COMMENTS, PAGE 5-7 (2024)**

**Plan Analysis**

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The Draft Plan includes a Development Regulations section within the Housing Element on page 13-8 and 13-9, as well as a map showing areas with potential future housing opportunities on page 13-11. It describes restrictions for the types of homes that can be developed, rather than examining the need for a variety of housing and businesses that would best serve the city's residents. This element could be enhanced by providing more strategies and actions encouraging flexible and varied housing types in the identified growth areas.

This section discusses issues with age-restricted housing and notes that previous attempts were not restricted enough, resulting in families of all ages living in an area designated as a Planned Adult Community (PAC). MDP notes that this likely reflects an unmet need for additional housing for all types of households and families in Havre de Grace, more so than the need to close the loophole in the PAC law. Age restricted housing developments rely on restrictive covenants for enforcement. This may be a legal issue relating to deeds, not a zoning code problem.

This section also discusses Accessory Dwellings Units (ADUs), noting that Havre de Grace currently allows ADUs that conform to their local specific guidelines and requirements.

Infill housing and the RO zoned former Harford Memorial Hospital site are discussed as potential locations to encourage new development. However, each of these would be regulated by design standards including a form-based code for the hospital site. MDP notes, as does the Draft Plan on page 13-9, that

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development in the entirety of Havre de Grace is restricted by either large impact fees and parking requirements on the outer edges or specific design requirements in the historic core. To promote reinvestment in the community, flexible regulations that respond to market conditions are recommended.

**2. Housing Element - Synopsis**

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is required to also assess fair housing and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

**ATTACHMENT 10.b**  
**MARYLAND DEPARTMENT OF PLANNING - ENVISION HAVRE DE GRACE 2024**  
**DRAFT COMPREHENSIVE PLAN REVIEW COMMENTS, PAGE 5-7 (2024)**

The Draft Plan includes a summary of affordable housing partners and completed projects, including those related to Low-Income Senior Housing, Affordable Housing, and Public Housing. MDP suggests the inclusion of a separate section that directly addresses Senior Housing and aging-in-place issues.

MDP suggests that the requirement for three new parking spaces for all residential units is too many and will negatively impact the cost and development of new housing (13-9). In the next section, waiving the Capital Cost Recovery and other impact fees is suggested to encourage development. MDP recommends that reducing parking requirements or offering a lower fee-in-lieu could provide a similar incentive, while providing additional spatial benefits.

The section on Homelessness Assistance (13-10) is focused on meeting the needs of recently homeless persons and bridging short-term gaps for resources. This is an important inclusion and one that many housing elements do not include. It could be strengthened by including additional strategies for addressing homelessness or short-term shelters beyond hotel vouchers for recently unhoused persons.

### **3. Sensitive Areas Element – Synopsis**

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The LUA also assigns sensitive areas element data provisions and review responsibilities to the Maryland Departments of the Environment and Natural Resources.

#### **Plan Analysis**

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Chapter 9 of the Draft Plan discusses the sensitive areas and natural resources within Havre de Grace, and includes action items for furthering conservation, improving environmental standards for buildings and land use, and enforcing dark sky codes, among others. MDP believes this is satisfactory from a planning perspective but notes that the loss of forest cover due to development is significant and encourages the city to implement strategies that prevent this from becoming a worsening issue in the areas proposed for new development in the land use chapter of the Draft Plan. The action items related to forest conservation and other sensitive areas on pages 9-13 – 9-14 are a good starting point and should be expanded upon.

### **4. Transportation Element - Synopsis**

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

#### **Plan Analysis**

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Chapter 11 is the Transportation Element, and its subtitle indicates that it is focused on multimodal transportation. Though many modes are summarized throughout the chapter, the action items are largely focused on new bicycle and pedestrian connections and expanding road capacity rather than a full multimodal approach and analysis.