

Final Report

Pro-Business & Pro-Citizen Code Review Recommendations

September 21, 2026

**Pursuant to Executive Order 2025-01:
Establishing the Pro-Business and Pro-Citizen Code Review Committee**

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I. Introduction

Mayor Martin,

In accordance with Executive Order 2025-01 The Pro-Business and Pro-Citizen Code Review Committee met and reviewed the designated chapters of the City Code in consultation with the City of Havre de Grace's Planning Department, Department of Public Works, and the City Attorney. The Committee also received and reviewed citizen written and oral testimony.

The Committee wishes to thank the staff for taking the time to answer questions, provide insightful guidance, and offer recommendations.

The objective of the Committee is to increase administrative predictability and to increase government accountability by proposing amendments and improvements to the City Code that eliminate undue burdens, enhance government efficiency, and foster a more business-friendly environment.

Recommendations for Amendments to the City Code

II. Governance and Administrative Updates

Mayoral Authority and Coordination:

R-001: Consolidate Mayoral Advocacy Authority (City Code § 1-22).

- **Recommendation:** Amend City Code §1-22 by consolidating paragraphs A and B to read: "Speak and advocate on behalf of the Mayor and City Council of Havre de Grace on the priorities and positions which have been established under this article as approved by the Mayor and City Council of Havre de Grace."
- **Justification:** Improves clarity and removes any ambiguity in the Mayor's authority to advocate on behalf of the city.
- **Addressed EO Scope:** EO 4.d (Cumbersome)
- **Legislative History:** The provisions in City Code Article IV, "Government Relations," are derived from Ordinance 1082, which was adopted in 2022.

R-002: Consolidate Mayoral Coordination of Testimony and Communication (City Code §§ 1-23, 1-24, 1-25).

- **Recommendation:** Consolidate City Code § 1-23 (Coordination of testimony), § 1-24 (Coordination of communication), and § 1-25 (Amendments) to be replaced with the following: "The Mayor is authorized to coordinate all testimony and communication between City staff, community stakeholders, and any lawmaking, rule-making, or executive bodies of the county, state, or federal government to advance the City's established priorities. This authority includes seeking or taking positions on amendments to relevant legislation, regulations, rules, or policies."
- **Justification:** Streamlines and centralizes the coordination of city communication and testimony.
- **Addressed EO Scope:** EO 4.d (Cumbersome)
- **Legislative History:** The provisions in City Code Article IV, "Government Relations," are derived from Ordinance 1082, which was adopted in 2022.

Chapter 12 (Alcoholic Beverages)

R-003: Delegate Alcoholic Beverage Authorization (City Code § 12-1).

- **Recommendation:** Add language to City Code § 12-1 subsection D, delegating the authority to authorize drinking alcoholic beverages in certain circumstances to the Mayor or the Mayor's designee.

- **Justification:** Enhances administrative flexibility and efficiency in authorizing alcoholic beverage consumption.
- **Addressed EO Scope:** EO 4.b (Inefficient)

Ethics and Accountability:

R-004: Mandatory Ethical Standards for Board of Appeals and Planning Commission

Recommendation:

The Committee recommends amendments to the City Code and administrative policies to improve ethical standards, transparency, and impartiality for members of the Board of Appeals and the Planning Commission. This includes mandatory annual financial and gift disclosure, mandatory disclosure of ex parte communications, and a required affirmation of impartiality before any proceeding.

Justification:

When these bodies act in a quasi-judicial capacity, they are under a legal duty to be fair and impartial. Mandatory disclosure of ex parte communications and an affirmation of impartiality ensure decisions are based solely upon the evidence of record. This promotes a more predictable and trustworthy environment for development, which is Pro-Business.

Mandatory Annual Ethics and Gift Disclosure: Members of the Board of Appeals and the Planning Commission should complete and submit a Conflict of Interest Form and a Gift Disclosure Form to the City's Ethics Commission before being sworn in and annually thereafter.

Mandatory Disclosure of Ex Parte Communications: Before any proceeding to consider an application, members of the Board of Appeals and the Planning Commission must disclose on the record any ex parte communications engaged in or received within the five (5) days prior to the hearing, and any such communications received afterwards but before a final decision.

Required Affirmation of Impartiality: Immediately preceding any proceeding or hearing, members of the Board of Appeals and the Planning Commission must affirm on the record that they have no financial or ethical conflicts of interest requiring recusal, have not prejudged the case, will be impartial, and have disclosed any ex parte communications.

The existing City Code and administrative processes may be inefficient or cumbersome due to a lack of clear, mandatory, and publicly affirmed ethical standards for the City's primary land-use

decision-making bodies.

Addressed EO Scope:

- **Outdated/Inefficient/Ineffective/Cumbersome:** Lacking formal, explicit standards to enforce impartiality can lead to costly legal challenges, making the current process ineffective and inefficient.
- **Undue Burden/Overly Restrictive:** Requiring transparency and impartiality removes the undue burden on businesses and citizens of having their applications reviewed by decision-makers with undisclosed conflicts or prejudgments.
- **Not considered business-friendly:** An uncertain and non-transparent administrative process is not business-friendly.

R-005: Align Financial Disclosure Request Procedures with the State Model Ordinance

The Committee reviewed the City's procedures regarding the examination of public ethics financial disclosure statements in comparison to the Maryland General Provisions Article and the State's Model Ethics Law A. Currently, the Havre de Grace Ethics Code mandates more stringent requirements than those found in the state's model ordinance for citizens wishing to review these public records.

Recommendation: The Committee recommends amending Chapter 67 to align the public examination process for financial disclosure statements strictly with the State Model Ethics Law A. The City should eliminate the requirement for a requester to provide a specific reason for examining a statement and limit the information collected and shared to the requester's name and home address.

Justification: The State Model Ethics Law A, which provides the standard for local compliance, does not require a requester to provide a reason for examining public financial disclosure statements. According to the Model Ordinance, the Commission must only record the name and home address of the individual reviewing or copying a statement. Furthermore, the Model Law specifies that the official whose statement was reviewed is only entitled to receive the name and home address of the person who conducted the review.

Current City Code Requirements:

The current Havre de Grace City Code exceeds these state standards by requiring the following for any individual requesting to examine an Interests Disclosure Form:

- The individual must provide their telephone number and email address in addition to their name and home address.
- The individual must provide a specific reason for the request.

- The Commission is required to provide the subject official with the requester's telephone number and email address.

Addressed EO Scope:

- Outdated: The current requirements exceed the standards set by the State Model Ethics Law.
- Cumbersome: Requiring a written justification for a public record request adds an unnecessary administrative hurdle for citizens.
- More stringent than State of Maryland requirements: The City Code mandates the collection of reasons and additional contact information not found in the State's model standards.
- Create an undue burden on citizens and/or businesses: These additional requirements can discourage the public from exercising their right to review ethics disclosures.

R-006: Update Gift Disclosure Thresholds and Definitions to Current State Standards

Recommendation:

The Committee recommends amending Chapter 67-1 (Definitions) and Chapter 67-4(E) (Gifts Disclosure Form contents) to increase the minimum gift disclosure thresholds. Specifically, individual gifts should only require disclosure if they exceed **\$50** in value, and the cumulative reporting threshold for a series of gifts from a single donor should be increased to **\$150**. Additionally, the definitions should be updated to clarify that "nominal value" for unsolicited gifts aligns with the State's current **\$20** per-item limit for non-meal items.

Justification:

The current **\$20** individual disclosure threshold is outdated and creates a cumbersome administrative burden for both the official and the Ethics Commission by requiring the tracking of minor, trivial items. Increasing these thresholds to **\$50** for individual gifts and **\$150** for cumulative gifts aligns the City with current Maryland state trends for 2026. These adjustments ensure the focus of ethics oversight remains on significant gifts that could potentially influence a public official, rather than low-value professional courtesies.

Current City Code Requirements:

- **Individual Gift Threshold:** Disclosure is required for any gift exceeding **\$20**.
- **Cumulative Gift Threshold:** Disclosure is required for a series of gifts totaling **\$100** or more from one donor.

- **Definition of Gift:** Currently includes campaign contributions over **\$100**, which creates confusion with State Election Law reporting.

Addressed EO Scope:

- **Outdated:** The current disclosure amounts have not been adjusted for inflation or recent state legislative changes.
- **Inefficient / Cumbersome:** Low thresholds lead to a high volume of filings for minor items that do not impact impartial judgment.
- **Not considered business-friendly:** Unnecessarily low gift limits can inhibit routine professional interactions and education-related events.

R-007: Remove Inactive and Advisory Bodies from Section 67-5 Financial Disclosure Requirements

Recommendation: The Committee recommends amending Chapter 67-5(A)(9) to remove the Marina Commission, the R.A.D. Loan Application Review Commission, and the Water and Sewer Commission from the list of bodies required to file financial disclosure statements. The R.A.D. The Loan Application Review Commission should be removed as it is no longer an active body.

Justification: Under the Maryland Public Ethics Law and the State Model Ethics Law A, financial disclosure requirements are intended for officials who exercise significant decision-making authority. The R.A.D. The Loan Application Review Commission is currently inactive. Additionally, the Marina Commission and the Water and Sewer Commission do not have decision-making authority; they serve as advisory bodies that provide recommendations to the Mayor and City Council rather than exercising final decision making authority over city funds or policy. Requiring full financial disclosure from advisory volunteers is overly restrictive and more stringent than state-mandated standards. Removing these requirements reduces the administrative burden and encourages greater citizen participation in local government.

Current City Code Requirements:

- **Section 67-5(A)(9)** currently mandates that members of the Marina Commission, R.A.D. Loan Application Review Commission, and Water and Sewer Commission must file Gifts Disclosure Forms.
- These members may also be required by the Commission to complete full Interests Disclosure Forms.
- These members are currently subjected to the same process and procedure for examination of disclosure statements as elected officials.

Addressed EO Scope:

- **Outdated:** The R.A.D. Loan Application Review Commission is no longer active, making its inclusion in the disclosure list obsolete.
- **Inefficient / Cumbersome:** Tracking and reviewing financial disclosures for advisory-only members creates unnecessary paperwork for the Ethics Commission and staff.

R-008: Include Board of Election Supervisors in Section 67-5 Disclosure Requirements**Recommendation:**

The Committee recommends amending Chapter 67-5(A) to include the Board of Election Supervisors as appointed officials required to file financial disclosure statements (Gifts Disclosure Forms and, where appropriate, Interests Disclosure Forms).

Justification: The Board of Election Supervisors is a critical body established by the City Charter to oversee the integrity of local elections. Unlike strictly advisory commissions, this Board exercises significant decision-making authority regarding candidate qualifications, the conduct of elections, and the certification of results. To ensure public trust and to maintain the "impartiality and independent judgment" mandated by the Statement of Purpose in both the City Code and the State Model Ethics Law A, these members should be subject to the same disclosure standards as other high-level appointed officials. This inclusion promotes government accountability and protects the electoral process from potential or perceived conflicts of interest.

Current City Code Requirements:

- **Section 67-5(A)** currently lists several department heads and certain boards (such as the Planning Commission and Board of Appeals) but does not include the Board of Election Supervisors.
- While the Board of Election Supervisors currently assists in the collection of forms from candidates, the members themselves are not explicitly listed in the section requiring them to file their own disclosures for public review.

Addressed EO Scope:

- **Ineffective:** The omission of a board with significant regulatory authority over elections makes the current ethics oversight less effective in ensuring total transparency.
- **Reviewing and Improving the City's Current Permitting Process:** By standardizing who must file based on their level of authority, the City ensures a more predictable and legally sound administrative environment.

R-009: Ethics Training in Employee Onboarding

- **Recommendation:** The Committee recommends mandating that the City Ethics Law be officially included in the onboarding process for all new City employees.
- **Justification:** Integrating ethics training into the initial hiring process ensures that all employees have immediate awareness of their legal duties regarding conflicts, impartiality and independent judgment. This proactive approach helps prevent future conflicts of interest and promotes a trustworthy government environment.
- **Addressed EO Scope: Ineffective / Government Efficiency:** Establishing clear standards during onboarding ensures immediate compliance and reduces the risk of administrative errors.

Fines and Penalties:

R-010: Increase Criminal Sanctions Fine (City Code § 1-1).

- **Recommendation:** Increase the maximum fine for criminal sanctions in City Code § 1-1 from \$1,000 to \$5,000.
- **Justification:** Updates the penalty to a more appropriate level, ensuring effectiveness of enforcement. This aligns with 2025 Md. Laws, Ch. 621, which increased the maximum allowable fines for municipalities from \$1,000 to \$5,000, and enabled by MD Code, Local Government, § 6-101.
- **Addressed EO Scope:** EO 4.a (Outdated)
- **Legislative History:** The current penalty scheme found in City Code Article I, "Fines, Penalties, and Imprisonment," is derived from Ordinance 776, adopted in 1993. That ordinance was enacted based on the authority granted by the then-existing version of the Maryland Local Government Article.

R-011: Increase Civil Sanctions Fine (City Code § 1-2).

- **Recommendation:** Increase the maximum fine for civil sanctions in City Code § 1-2 from \$1,000 to \$5,000.
- **Justification:** Updates the penalty to a more appropriate level, ensuring effectiveness of enforcement. This aligns with 2025 Md. Laws, Ch. 621, which increased the maximum allowable fines for municipalities from \$1,000 to \$5,000, and is enabled by MD Code, Local Government, § 6-102.
- **Addressed EO Scope:** EO 4.a (Outdated)

Legislative History: Article I, "Fines, Penalties, and Imprisonment," as currently codified, is derived from Ordinance 776, adopted in 1993.

III. Boards, Committees, and Commissions (Chapter 25)

Functional Reorganization: Reorganizing Chapter 25 into "Decision-Making" vs. "Advisory" bodies for functional clarity.

Currently, Chapter 25 is divided into 15 articles. Article I establishes a requirement that commissions have a duty to report to the City Council. The additional 13 articles establish different boards and commissions in the following order: Arts Commission, Appearance and Preservation Commission, Board of Appeals, Planning Commission, Economic Development Advisory Board, Tourism Advisory Board, Youth Commission, Independence Day Commission, Street and Traffic Safety Advisory Board, Water/Sewer Commission, Marina Commission, Board of Port Wardens, and Cultural Exchange Commission; Article XIII is reserved. Of the 13 boards or commissions created through Chapter 25, only two of them—the Planning Commission and the Board of Appeals—have decision-making authority. The Appearance and Preservation Commission appears to be currently vacant and has been for some time. Outside of Chapter 25, the Ethics Commission is established under Chapter 67, the Historic Preservation Commission is established under Chapter 97, and the Tree Commission is established under Chapter 186. The Board of Election Supervisors is established under the City Charter.

R-012: Reorganize Chapter 25 for Functional Clarity

Recommendation: The Committee recommends that Chapter 25 be reorganized in a manner similar to the Harford County Code to delineate clearly between bodies with decision-making authority versus those which are advisory. They should be classified into two distinct sections: Section 1, Decision-Making Boards and Commissions; and Section 2, Advisory Boards and Commissions. Each section should include its own General Provisions section to create a standardized framework for how the bodies under each section operate.

Justification: The current "patchwork" structure of Chapter 25 is disorganized and lacks a clear hierarchy based on the authority of the bodies. Organizing these bodies by their legal function (quasi-judicial/decision-making vs. advisory) increases administrative predictability and makes the code more accessible for citizens and applicants.

Addressed EO Scope:

- **Inefficient / Cumbersome:** The current unorganized structure of Chapter 25 is inefficient for staff and the public to navigate.

- **Ineffective:** A lack of clear distinction between advisory and decision-making bodies can lead to confusion regarding the weight of their respective findings.

R-013: Establish Placeholder General Provisions for Decision-Making Bodies

Recommendation: The Committee recommends establishing a General Provisions section for "Section 1: Decision-Making Boards and Commissions". While specific new statutes may not be introduced immediately, this section will serve as the placeholder for the Planning Commission and Board of Appeals.

Justification: Creating a dedicated section for decision-making bodies provides a structured environment to house existing and future quasi-judicial entities, ensuring they are not conflated with strictly advisory groups.

Addressed EO Scope:

- **Inefficient:** Consolidating decision-making bodies into one section improves the speed and accuracy of code internal referencing.

Standardizing Operations: Establishing consistent rules for quorums, nominations, and member counts for advisory boards.

R-014: Standardize Operations for Advisory Boards and Commissions

Recommendation: The Committee recommends that the General Provisions for "Section 2: Advisory Boards and Commissions" clarify and standardize key operational items, replacing the inconsistent requirements currently found throughout Chapter 25. The standard provisions should include:

- Members are nominated by the Mayor and affirmed by a majority of the City Council.
- Members serve at the Mayor's pleasure.
- A quorum is defined as half of the seated membership plus one.
- The bodies may comprise between 10 and 20 members.
- Ex-officio members serve only for informational purposes and may not vote.
- City Council liaisons serve only for informational purposes and may not vote.

Justification: The current inconsistent operating procedures for various advisory boards create administrative confusion. Standardizing these rules ensures all advisory bodies operate under the same expectations of transparency and efficiency.

Addressed EO Scope:

- **Inefficient / Cumbersome:** Eliminating the patchwork of individual statutes for each board reduces the complexity of managing city commissions.
- **Outdated:** Standardizing quorums and appointment processes modernizes the city's administrative framework.

Consolidation and Elimination: Moving Ethics, Historic Preservation, and Tree Commissions into Chapter 25.

R-015: Consolidate External Commissions into Chapter 25

Recommendation: The Committee recommends moving the three commissions currently found elsewhere in the City Code—the Ethics Commission (Chapter 67), the Historic Preservation Commission (Chapter 97), and the Tree Commission (Chapter 186)—into the reorganized Chapter 25.

Justification: Consolidating all boards and commissions into a single chapter increases government accountability and ensures that all public bodies are governed by the same general procedural standards.

Addressed EO Scope:

- **Inefficient / Cumbersome:** Scattered code sections require applicants and staff to search multiple chapters to find information on city boards.

Eliminating the inactive Appearance and Preservation Commission.

R-016: Eliminate the Appearance and Preservation Commission

Recommendation: The Committee recommends the elimination of the Appearance and Preservation Commission from the City Code.

Justification: This commission has been vacant for well over a decade. Maintaining inactive boards in the City Code is unnecessary and creates a "cluttered" regulatory environment.

Addressed EO Scope:

- **Outdated:** The commission is no longer active or functional, making its inclusion in the code obsolete.

Inefficient: Removing defunct boards streamlines the City's official list of active public bodies.

Land Use Article Alignment: Updating Board of Appeals (BOA) removal processes and jurisdictional scope to strictly follow the Maryland Land Use Article.

R-017: Align Board of Appeals Removal Process with State Law

Recommendation: The Committee recommends amending Chapter 25, Article IV (Board of Appeals) to require that the removal process for members be consistent with the Maryland Land Use Article. Specifically, the code should be corrected to state that members may be removed by the local executive (the Mayor) rather than the City Council.

Justification: The current City Code conflicts with the Maryland Land Use Article, which grants the authority for removal to the local executive. Aligning with state law ensures the city's administrative actions are legally defensible and prevents potential challenges to the board's composition.

Addressed EO Scope:

- **Outdated:** The current code is inconsistent with the mandated jurisdictional and procedural limits of the Maryland Land Use Article.
- **Ineffective:** Decisions made by a board whose members were not legally appointed or removed could be rendered void by a legal challenge.

R-018: Board of Appeals revise scope to be consistent with Maryland Land Use Article

Recommendation:

Amend the City Code, specifically Chapter 25 (Boards, Committees, and Commissions), to align the jurisdictional authority of the Board of Appeals (BOA) for Administrative Review appeals strictly with what is permissible under the Maryland Land Use Article, Division I, Single-Jurisdiction Planning and Zoning. The BOA's power to hear and decide appeals alleging error by an administrative official or unit should be explicitly limited to those orders, decisions, or determinations made under the provisions of the Land Use article or any local law adopted under the Land Use Article.

The current language expands the BOA's powers and duties beyond the authority granted to them by the Maryland Land Use Article to include topics to include *any* final order from *any* administrative official regardless if the final order involved land use matters.

Justification:

Maryland Land Use Article provides the statutory authority for the creation and powers of local Boards of Appeals. Md. Land Use Code Ann. § 4-305 states that a board of appeals may hear and decide appeals when it is alleged that there is an error in a decision made by an administrative officer or unit under division 1 of the article or of any local law adopted under division 1. The Land Use Article grants the BOA authority over zoning, special exceptions, and variances (Land Use matters).

The current broad language allowing the BOA to hear appeals on all final orders, including those from the Building Code (Chapter 31), plumbing standards (Chapter 134), or other non-land use-related ordinances likely exceeds the jurisdictional authority delegated to the BOA by the State of Maryland. Amending the City Code to limit the BOA's administrative review jurisdiction only to matters arising from the enforcement and administration of Land Use and Zoning matters ensures the BOA's actions are more likely defensible.

Addressed EO Scope:

- **Outdated:** The existing broad definition of the BOA's appeal authority is outdated and inconsistent with State-mandated jurisdictional limits.
- **Ineffective:** Granting the BOA jurisdiction beyond its statutory authority renders its decisions on non-Land Use matters ineffective and vulnerable to legal challenge.
- **Cumbersome:** Overlapping or unclear appeal jurisdiction creates a cumbersome process and creates confusion over the correct appeal body.

IV. Land Use, Zoning, and Development

The Unified Development Code (UDC): Consolidating 14 fragmented chapters—including Zoning, Subdivision, and Infrastructure—into a single synchronized volume.

R-019: Transition to a Unified Development Code (UDC)

Recommendation

The Committee recommends the comprehensive consolidation of the City's fragmented land-use, subdivision, and development regulations into a single, synchronized volume: the **Unified Development Code (UDC)**. This initiative will repeal and re-codify regulations currently scattered across **14 different chapters** of the City Code, including:

- **Core Development Rules:** Ch. 205 (Zoning), Ch. 173 (Subdivision Regulations), and Ch. 155 (Site Plan).
- **Site Standards:** Ch. 102 (Landscaping), Ch. 122 (Off-Street Parking), and Ch. 151 (Signs).
- **Infrastructure & Logistics:** Ch. 2 (Adequate Public Facilities), Ch. 169 (Stormwater), Ch. 89 (Grading), Ch. 70 (Fees), and Ch. 196 (Water/Sewer Rates).
- **Land Management:** Ch. 20 (Annexation), Ch. 49 (Critical Area), and Ch. 78 (Floodplain Management).

Justification: Eliminating the "Regulatory Maze"

The current structure requires applicants to cross-reference 14 separate chapters to determine the feasibility of a single project. This fragmentation creates "regulatory silos" where definitions may conflict and procedural requirements overlap. Transitioning to a UDC provides several critical benefits:

- **Unified Definitions:** Ensures that foundational concepts—such as "setbacks," "lot frontage," or "right-of-way"—are defined identically across all 14 functional areas, eliminating "term drift" and confusion.

- **Consolidated Procedures:** Establishes a synchronized application and public hearing process. By aligning Site Plan reviews (Ch. 155) with Subdivision requirements (Ch. 173), the City prevents applicants from having to navigate redundant administrative

Addressed EO Scope: Reducing Inefficiency and Redundancy

This recommendation directly addresses the Executive Order's mandate to simplify cumbersome and disconnected processes:

- **Navigational Ease:** Replacing **14 disconnected chapters** with a single volume drastically reduces the "soft costs" for small business owners and residents trying to understand City rules.
- **Operational Efficiency:** Streamlines the internal review workflow by integrating infrastructure standards (Water/Sewer/Stormwater) directly into the development review phase, cutting down the total "days-to-permit."
- **Modernization:** A UDC allows for the use of consolidated tables and illustrative diagrams, transforming 14 chapters of dense legal text into a format that is easy for the average citizen to understand at a glance.

Building on the Committee's existing goal to create a **Unified Development Code (UDC)** and address "regulatory silos", here is a draft for a new recommendation (R-071) designed to standardize the aesthetic and functional entrance to the City.

R-020: Establishment of Gateway Design Guidelines (Chapter 205)

Recommendation

The Committee recommends amending **Chapter 205 (Zoning)** to establish formal **Gateway Design Guidelines** specifically for the primary entrance corridor at the **MD 155/I-95 gateway**. These guidelines shall apply to all properties zoned **RB (Residential Business)** and **MOU (Mixed-Use Office)** located **west of US 40**.

The amendment should mandate specific standards for:

- **Architectural Cohesion:** Requirements for high-quality building materials (e.g., brick, stone) and the avoidance of "big-box" blank walls.

Addressed EO Scope

- **Inefficient:** Replaces the current case-by-case "ad-hoc" design negotiation with a standardized set of rules, accelerating the "days-to-permit".

R-021: Required Staff Report for Planning Commission - Site Plans

Recommendation:

The City Code should be amended to require a Staff Report for all Site Plan (Chapter 155) reviews.

Justification:

A Staff Report is currently required for the Subdivision process but not for Site Plans. Requiring a Staff Report for Site Plans will ensure the Planning Commission receives a standardized, comprehensive analysis of the application, improving the effectiveness of the review and decision-making process.

Addressed EO Scope:

- **Inefficient:** Without a required report, staff time may be spent presenting information verbally or inconsistently; a standardized report is more efficient.
- **Ineffective:** A standardized Staff Report ensures the Planning Commission is consistently provided with the comprehensive analysis necessary to make an effective decision.

R-022: Standardized Public Notification Requirements

Recommendation:

The City Code should be amended to mandate standardized public notification requirements for Subdivision (Chapter 173) reviews. This includes requiring a list of adjacent properties, and 15-day notifications via the website, on-property signs, and mailed notices, aligning with other chapters.

Justification:

Subdivision (Chapter 173) currently lacks requirements for adjacent property lists, website, on-property, or mailed notices. Standardizing and requiring public notification for Subdivisions at 15 days will improve government effectiveness and transparency, ensuring citizens are properly informed about development proposals.

Addressed EO Scope:

- **Outdated:** The lack of modern public notification standards in Chapter 173 is inconsistent with current best practices and other City chapters.
- **Ineffective:** The absence of mandatory public notification makes the process ineffective in informing the public about development proposals.

R-023: Mandatory Training for Land Use Decision-Makers

Recommendation:

The Committee recommends the City establish a dedicated budget line item within the city budget to provide mandatory, regular training to staff and members of the Board of Appeals on land use matters.

Justification:

Regular, dedicated training ensures that staff, BOA and Planning Commission members are current on complex land use laws, including procedural fairness and statutory requirements (like the Nollan/Dolan Test for exactions). This strengthens the legal defensibility of the City's decisions, reducing the risk of costly litigation and administrative error.

Addressed EO Scope:

- **Ineffective:** The lack of mandatory, regular training increases the risk of legally flawed decisions, rendering the land use process ineffective and vulnerable to reversal.
- **Cumbersome:** Legally sound decisions are less likely to be appealed or challenged in court, reducing cumbersome legal processes for both the City and applicants.

R-024: Consolidation and Clarification of Adequate Public Facilities (APF) Requirements

Recommendation:

Amend the City Code to consolidate all requirements pertaining to the Adequate Public Facilities (APF) Ordinance into Chapter 2. Chapter 2 should be updated to clearly delineate which City department or departments has the authority and responsibility for administering and enforcing each specific part of the APF requirements.

Justification:

Current APF requirements are spread across Chapter 2, Chapter 205 (Zoning) and other city code chapters, creating confusion and inefficiency. Consolidating these requirements into a

single location and establishing a clear responsibility for review authority will increase administrative predictability and government accountability.

Addressed EO Scope:

- **Inefficient / Cumbersome:** The current requirement to consult multiple code chapters for a single APF requirement is inefficient and cumbersome for both staff and applicants.
- **Outdated:** APF requirements scattered across the code are subject to inconsistencies; consolidation provides a modern.
- **Ineffective:** Unclear departmental authority for various APF components makes enforcement and consistent review ineffective.

R-025: Temporary Use and Occupancy (U&O) Guardrails and Time Requirements

Recommendation:

Amend Chapter 31 (Building Construction) to clearly define guardrails and specific time requirements related to the issuance and expiration of Temporary Use and Occupancy (U&O) permits. This should include explicit conditions under which a temporary U&O may be granted and a definitive maximum duration.

Justification:

The lack of explicit criteria and time limits for Temporary U&O permits in Chapter 31 creates ambiguity and leads to inconsistent application and potential safety concerns. Defining clear guardrails streamlines the process for the applicant while ensuring the City retains strict control over safety and final inspections.

Addressed EO Scope:

- **Inefficient:** Ambiguous standards for temporary U&O lead to delays, making the process inefficient.

Zoning Improvements: Establishing a formal process for Comprehensive Rezoning and standardizing Map Amendment applications.

R-026: Establish a Formal Process for Comprehensive Rezoning

Recommendation: The Committee recommends amending Chapter 205 to establish a formal, legislative process for Comprehensive Rezoning. This process should be executed in conjunction

with or following the adoption of the City's Comprehensive Plan to ensure the Zoning Map accurately reflects the designated land-use categories. The ordinance should delineate the specific procedural steps for City Council adoption, including public notice requirements and Planning Commission review, utilizing the authority granted under the Maryland Land Use Article.

Justification: Comprehensive Rezoning is a proactive, legislative tool that allows the City to implement its vision on a city-wide scale rather than relying on piecemeal rezonings which can be costly and unpredictable for applicants. Under the Maryland Land Use Article § 4-202, local jurisdictions are empowered to adopt zoning regulations that are "consistent with" or "implement" the comprehensive plan.

Addressed EO Scope:

- Inefficient: Relying on individual rezoning applications without a formalized process is inefficient.

R-027: Standardize the Application Process for Zoning Map Amendments (Rezoning)

Recommendation:

The Committee recommends amending Chapter 205 to establish a formal application and review process for Zoning Map Amendments. The new process should include a mandatory pre-filing consultation, a standardized submission packet, and a clear procedural workflow from staff review to final City Council action. The application must explicitly require the following:

Justification:

Currently, the rezoning process in Havre de Grace is largely unstructured. By codifying these requirements, the City ensures that every applicant provides the necessary "findings of fact" required by Maryland Land Use Article § 4-204, such as population changes, availability of public facilities, and compatibility with the surrounding area. A standardized process also reduces the administrative burden on City staff by ensuring that only complete and sufficient applications proceed to public hearings, thereby avoiding costly delays and the waste of government resources.

Current City Code Requirements:

- Chapter 205 mentions map amendments but does not specify the mandatory contents of an application or the detailed procedural steps for an applicant to follow.

- The code lacks an explicit requirement for a "change or mistake" narrative, which is the legal standard required for piecemeal rezoning under Maryland law.

Addressed EO Scope:

- **Inefficient:** The City Code which is currently without a clear formalized process is inefficient.

Creating "Small Lot" development standards for historic areas east of US 40.

R-028: Establish Small Lot Development Standards for Neighborhoods East of US 40

Recommendation:

The Committee recommends amending Chapter 205 to create a "Small Lot" standard specifically for residential lots located east of US 40. These standards should include reduced minimum lot area, narrower lot widths, and modified setback requirements (including front, side, and rear) that are reflective of the historic building patterns in the area. These standards should apply to the infill construction of single-family homes on existing recorded lots of record.

Justification: Applying modern, suburban-scale lot requirements to the City's historic core creates significant administrative and financial obstacles for property owners. Currently, property owners seeking to build on small historic lots are often forced to seek a Variance from the Board of Appeals because they cannot meet the strict dimensional requirements of the general zoning code. By codifying a "Small Lot" standard, the City eliminates the need for these quasi-judicial proceedings for routine projects, thereby reducing costs for citizens and increasing government efficiency.

Addressed EO Scope:

- **Inefficient / Cumbersome:** Forcing minor infill projects through the full Board of Appeals process for predictable dimensional issues is a waste of city and citizen resources.
- **Overly Restrictive:** Modern setbacks and lot area requirements are physically impossible to meet on many historic parcels east of US 40.

Create an undue burden on citizens and/or businesses: The cost and time associated with Variances for small lot development act as a barrier to residential development

Clarifying that text language prevails over table data in conflicts and splitting primary zoning tables for better readability.

R-029: Zoning Text Language Precedence

Recommendation:

Amend Chapter 205 of the City Code to include clear language stating that when a conflict exists between the text language in Chapter 205 and “table 1” the text language in Chapter 205 shall prevail.

Justification:

Establishing clear precedence for the text language immediately resolves ambiguities that arise when summarized data in “table 1” conflicts with text. This increases predictability and streamlines the review process by eliminating the need for administrative interpretation, appeals, or legal dispute.

Addressed EO Scope:

- **Inefficient:** Resolving conflicts between text and the tables on a case-by-case basis is administratively inefficient.
- **Ineffective:** The lack of clear precedence makes the application of the Zoning Code inconsistent and ineffective.
- **Not considered business-friendly:** Ambiguity in the code creates uncertainty for developers and is not considered a business-friendly regulatory environment.

R-030: Update Zoning Tables

- **Recommendation:** The Committee recommends splitting the primary zoning table into two distinct versions: one for Residential uses and one for Commercial and Industrial uses.
- **Justification:** The current consolidated table is overly dense and difficult to read. Separating the tables allows users to quickly find the standards relevant to their specific project type, reducing the risk of administrative errors and improving predictability for business investment.
- **Addressed EO Scope: Inefficient / Business-Friendly:** Simplified tables make the code easier to interpret, which is a key component of a pro-business regulatory environment.

Development Review Process: Implementing a Technical Review Committee (TRC) model for subdivisions to frontload citizen and technical feedback.

R-031: Update Subdivision Review via a Technical Review Committee (TRC)

Recommendation

The Committee recommends a fundamental restructuring of the subdivision application review process to align Havre de Grace with the Maryland Land Use Article. This initiative replaces the current review with a Technical Review Committee (TRC) model, mirroring the Development Advisory Committee (DAC) process utilized by Harford County and other Maryland jurisdictions. Under this new framework:

- **Planning Commission Jurisdiction:** Consistent with state law, the Planning Commission retains authority over the final approval of all subdivision plans within City limits.
- **Establishment of a Technical Review Committee (TRC):** A formal TRC—composed of City Planning, Public Works, and relevant outside agencies will conduct the initial evaluation of all preliminary plans.
- **The Joint TRC Public Meeting:** Prior to Planning Commission action, the TRC will host a public meeting where staff provides consolidated technical comments directly to the developer.
- **Frontloaded Citizen Engagement:** During this TRC meeting, citizens will have the opportunity to learn about the project and express concerns early in the cycle, ensuring community feedback is integrated before plans are finalized for the Planning Commission. While the citizen engagement is encouraged it will not have any binding effect on the City or the developer.
- **Preservation of Existing Consultations:** This new public input phase does not eliminate existing administrative tools in place for the Administrative staff. All necessary pre-application meetings, conceptual reviews, or private technical consultations between the City and the developer remain in effect to ensure applications are complete before submission to the TRC for the public input session.

Addressed EO Scope: Reducing Inefficiency and Administrative Burden

This recommendation directly fulfills the mandate of Executive Order 2025-01 to eliminate "cumbersome" procedures and promote an efficient, "pro-citizen" government:

- **Pro-Citizen Engagement:** This model "frontloads" public input, allowing citizen concerns to be addressed while technical plans are still fluid.
- **Pro-Business Predictability:** Streamlining the subdivision process reduces the uncertainty and "undue burden" on businesses by providing clear, consolidated technical feedback in one meeting earlier in the process, rather than through months of fragmented correspondence.

Establishing a formal Administrative Adjustment process for minor dimensional deviations (up to 20%) to bypass the Board of Appeals.

R-033: Establish an Administrative Adjustment Ordinance

Recommendation:

The Committee recommends the City Council adopt an ordinance to establish a formal Administrative Adjustment process, utilizing the authority Maryland Land Use Article (LU) § 4-205 grants the City Council. The adopted process would delegate the review and approval of minor dimensional deviations to the Planning Director or a designee, moving them from the quasi-judicial Board of Appeals (BOA) process to an expedited staff review. The maximum adjustment granted for any dimensional standard should not exceed twenty percent (20%) of the standard requirement.

Justification:

The current regulatory structure requires all dimensional deviations, regardless of how minor, to go through the full, costly, and time-consuming Variance process overseen by the BOA. The Administrative Adjustment provides an expedited, staff review for low-impact, routine construction, reducing costs for citizens and businesses and allowing the BOA to focus on major cases.

The ordinance must establish the maximum permitted dimensional variation acceptable for administrative review. The Committee recommends the maximum adjustment granted for any dimensional standard (including Height, Setbacks, Bulk, Parking, and Area requirements) shall not exceed twenty percent 20% of the standard requirement.

The ordinance may specify a lower maximum percentage for specific dimensional standards. The Committee recommends the Planning Director or designee shall approve or deny an application for an administrative adjustment within 15 calendar days of receiving it.

The statutory basis is Maryland LU § 4-205 (Administrative Adjustments).

Maryland Code, Land Use § 4-205 establishes the legal authority for the City of Havre de Grace to formally delegate specific, objective dimensional review authority to an administrative official, usually the Planning Director. This action intends to accelerate permitting for routine, low-impact construction that requires minor relief from the strict requirements of the zoning code.

Procedural requirements for ordinance making

LU article § 4-205 mandates several criteria the local ordinance must follow:

Consultation: The legislative body must formally consult with the Planning Commission and the Board of Appeals before developing the administrative adjustment criteria and procedures.

Public Process: The legislative body must provide reasonable public notice, an opportunity for a public hearing, and public review and comment on the proposed criteria.

Maximum Variation: The adopted criteria must specifically define the maximum variation from a zoning requirement that is allowed under an administrative adjustment. This quantitative limit legally distinguishes staff-approved administrative adjustments from quasi-judicial Variances.

Findings: Every decision on an Administrative Adjustment application must include written findings of fact and conclusions of law.

Appeal: The local law must authorize the appeal of the Planning Director's decision (approval or denial) to the Board of Appeals.

Statutory Limitations

The LU article prohibits using Administrative Adjustments for requirements intended to protect environmentally sensitive areas.

Addressed EO Scope:

- **Inefficient:** The policy replaces the timely quasi-judicial Variance pathway with an internal, objective staff review process for minor deviations, accelerating timelines.
- **Cumbersome:** The policy removes the requirement for applicants to prepare for and attend formal public hearings for dimensional issues that are minor, objective, and low-impact.
- **Create an undue burden on citizens and/or businesses:** The policy substantially reduces the soft and hard costs (e.g., application fees, attorney costs) associated with needing to seek a Variance for minor projects.

- **Improves the City's permitting process to be more efficient:** The policy integrates the review of minor dimensional deviations directly into the existing Planning Department permit workflow, creating a single, predictable track for most applicants.

Mandating pre-application conferences and standardizing 10-day completeness reviews.

R-032: Consistent Completeness Review Timeframe

Recommendation:

The Committee recommends the City Council amend the City Code to require a 10-day Completeness Review for the Subdivision (Chapter 173) process, consistent with the Site Plan (Chapter 155) process.

Justification:

Establishing a clear, consistent 10-day timeframe for completeness review in both chapters will make the administrative process more efficient and predictable for applicants, reducing uncertainty and delays.

Addressed EO Scope:

- **Inefficient:** The lack of a required timeframe can lead to unpredictable delays; establishing a consistent 10-day period increases efficiency.
- **Ineffective:** Establishing a clear standard process across related code chapters ensures the administrative review is consistently applied and effective.
- **Not considered business-friendly:** Unpredictable or non-standardized processes create uncertainty, which is counter to a business-friendly environment; consistency improves predictability.

○

Permitting and Inspections

System Integration: Consolidating City permitting into the County system to enable concurrent review and eliminate redundant data entry (R-016).

R-034: Permitting System Consolidation and Concurrent County/City Permit Review

Recommendation:

The Committee recommends the consolidation of the City's current permitting software system into the existing County Permitting System. This migration will eliminate redundant data entry, significantly reduce City staff time, and enable simultaneous (concurrent) review of permit applications by both City and County personnel.

Justification and Benefits:

The current dual system requires City staff to manually re-enter applicant data from the City's system into the County's system, a time-consuming duplication of effort. Migration eliminates this manual re-entry, allowing staff to reallocate time to core duties and enabling concurrent review, which is the core process improvement that will reduce overall permit processing time for applicants.

Addressed EO Scope:

- **Improving Government Efficiency and Effectiveness:** Achieved by eliminating duplicated software systems and redundant labor.
- **Reviewing and Improving the City's Current Permitting Process:** Directly addressed by proposing the migration to a unified, concurrent system.

R-035: Create Performance Metrics for Permitting

Recommendation:

The Committee recommends the Department of Planning create and maintain performance metrics to measure the performance of the City's permitting process to identify any inefficiencies. After a baseline is established, the department can create goals and objectives to increase efficiency. These metrics should be reported to the Mayor on a monthly basis. Metrics to be considered include average time to first comments, staff technical review time, and customer response time.

Justification:

Creating and monitoring performance metrics is a necessary administrative function to track, measure, and improve the efficiency and effectiveness of the permitting process, directly supporting the goals of the Executive Order.

Addressed EO Scope:

- **Inefficient:** Establishing metrics helps identify and reduce time-consuming administrative inefficiencies in the permitting process.

- **Ineffective:** Creating goals and measuring outcomes ensures the City actively works toward a more effective and reliable permitting process.

Updating plumbing standards to current state-mandated editions (R-033).

R-036: Update Plumbing Standards

Recommendation:

Amend Chapter 134 (Plumbing Standards) to adopt the most recent edition of the State-mandated plumbing standard requirements.

Justification:

City codes that rely on outdated technical standards can create compliance issues, inhibit the use of modern, efficient materials, and complicate coordination with County and State regulators. Updating Chapter 134 ensures that all construction meets current safety and efficiency benchmarks, streamlining the review and inspection process.

Addressed EO Scope:

- **Outdated:** The reliance on older plumbing standards makes the current City Code outdated.
- **Inefficient:** Outdated technical codes can cause construction delays if mandated standards conflict with local requirements; updating the code makes the process more efficient.

R-037: Consistent Approval Document

Recommendation:

The City Code should be amended so that the official approval document for both Site Plan (Chapter 155) and Subdivision (Chapter 173) is a Decision and Order.

Justification:

Changing the final approval document from an informal "Letter" to a formal "Decision and Order" standardizes the final outcome, making the administrative process clearer, more formal, and more effective.

Addressed EO Scope:

- **Ineffective:** Using an informal "Letter" as the official final action is an ineffective practice for documenting legal decisions; a formal "Decision and Order" is more effective.
- **Not considered business-friendly:** A lack of standardization and formality in the final legal document can create ambiguity and is not considered a business-friendly practice.

Extended Approval timelines: Extending plan approval validity to 3 years for both Site Plans and Subdivisions.

R-038: Consistent and Extended Plan Approval Time

Recommendation:

The City Code should be amended to set the approval time for both Site Plan (Chapter 155) and Subdivision (Chapter 173) to 3 years.

Justification:

Standardizing the approval time to 3 years provides more reasonable and consistent timeframes for both citizens and businesses to proceed with development. The current 1-year approval period for Site Plans is considered overly restrictive, and the extension makes the code less burdensome and more business-friendly.

Addressed EO Scope:

- **Inefficient:** A short 1-year validity period for Site Plans creates administrative inefficiency by forcing applicants to seek frequent, time-consuming extensions.
- **Create an undue burden on citizens and/or businesses:** The short 1-year window places an undue burden on applicants who need a reasonable timeframe to secure financing and permits.
- **Overly restrictive (in Chapter 155):** The current 1-year validity for Site Plans is explicitly deemed overly restrictive for complex development projects.
- **Not considered business-friendly:** An overly short time limit on plan validity inhibits business investment and development predictability.

-

VI. Public Works and Utilities

Capacity and Proportionality : Reviewing Equivalent Dwelling Unit (EDU) water modeling to ensure capacity calculations are realistic.

R-039: Review of Equivalent Dwelling Unit (EDU) Water Modeling

Recommendation:

The Committee recommends the Department of Public Works review the City's Equivalent Dwelling Unit (EDU) water modeling, specifically the current allocation of 250 Gallons Per Day (GPD) per EDU. The review should explore if this number is realistic for current usage and if a decrease is feasible.

Justification:

The City may be unnecessarily overstating its water demands, which could unduly restrict development. Decreasing the GPD number to a more realistic figure would free up capacity for development while maintaining system integrity.

Addressed EO Scope:

- **Create an undue burden on citizens and/or businesses:** Overly restrictive capacity calculations can lead to unwarranted APF restrictions or fees, creating an undue burden on new development.

Fees and Proportionality: Mandating that water/sewer fixture counts and fees meet the Nollan/Dolan Test for legal proportionality.

R-040: Justification and Proportionality for Water and Sewer Fixture Counts

Recommendation:

Amend Chapter 196 (Water and Sewer Rates) to mandate that fixture counts be assigned a value and that justification must be taken into consideration, and that proportionality must be considered in relation to those values. The resulting capital cost recovery charges must be

evaluated using the Nollan/Dolan Test to ensure any required rate or fee associated with new connections is proportional to the projected impact.

Justification:

The Nollan/Dolan Test requires that a government exaction (like a fee) must have an "essential nexus" to the legitimate state interest and be "roughly proportional" to the impact of the proposed development. Applying this standard to connection fees ensures they are legally defensible and prevents arbitrary or disproportionate charges that place an undue burden on new development.

Addressed EO Scope:

- **Overly restrictive:** Fees disproportionate to the development's impact are overly restrictive and may exceed the City's authority.
- **Create an undue burden on citizens and/or businesses:** Unjustified or disproportionate fees place a direct and significant financial burden on new development.

Data Accuracy: Implementing regular review of school data used in Adequate Public Facilities (APF) analysis.

R-041: School Data Consistency and Accuracy

Recommendation:

Amend Chapter 2 (Adequate Public Facilities) to implement a mandatory, regular review process for all school data used in the Adequate Public Facilities (APF) analysis. This process must ensure the data is consistent, accurate, and regularly updated through coordination with the relevant County and/or State authorities.

Justification:

School capacity data is a critical component of the APF review. Inaccurate or outdated data could lead to incorrect determinations, either by unduly restricting development or by permitting development that truly exceeds capacity. Establishing a mandatory process for data increases the predictability and accuracy of the APF determination.

Addressed EO Scope:

- **Outdated:** Reliance on inconsistent or inaccurate school data makes the APF process outdated and unreliable.

- **Ineffective:** APF decisions based on flawed school data are ineffective in managing growth and are legally vulnerable.

VII. Public Safety and Miscellaneous Repeals

Repeals of Outdated Codes Sections

Chapter 52 (Curfew)

R-042: Repeal Curfew Chapter (City Code Chapter 52).

- **Recommendation:** Repeal Chapter 52 Curfew.
- **Justification:** Eliminates an outdated or ineffective provision that may no longer be necessary.
- **Staff Comments:** The Committee did solicit comments from the police department on this subject matter. In their response, the command staff commented that Chapter 52 was considered outdated and has reportedly not been enforced in over two decades. The recommendation is to repeal it, as police officers can more effectively ensure a minor's safety using standard procedures.
- **Addressed EO Scope:** EO 4.a (Outdated), 4.c (Ineffective)
- **Legislative History:** The City Curfew Ordinance was originally established by Ordinance 592 in 1977, amended by Ordinance 605 in 1978, amended again by Ordinance 680 in 1984, and eventually by Ordinance

R-043: Remove Requirement that Staff Reports Provide a Recommendation for Approval or Denial

Recommendation:

The Committee recommends the City Council amend Havre de Grace City Code Chapter 25 (Boards, Committees and Commissions) and Chapter 173 (Subdivision Regulations) to eliminate the requirement that the Planning Department staff report include a final recommendation (regarding approval or denial) for any application or matter brought before the Planning Commission or the Board of Appeals.

Justification:

Removing the requirement for a final recommendation ensures the staff report remains a neutral document focused strictly on objective legal and factual analysis. This eliminates the potential for administrative opinion to prematurely steer the official, independent, quasi-judicial decision-making of the appointed boards, thereby reinforcing impartiality. The Committee does

not recommend prohibiting the Department from consulting with the Planning Commission or Board of Appeals regarding legal and factual items relevant to the approval or denial of an application.

Addressed EO Scope:

- **Ineffective:** Explicitly prohibits administrative staff from influencing the independent, quasi-judicial decision-making of the Board of Appeals and the Planning Commission, ensuring their decisions are impartial.
- **Create an undue burden on citizens and/or businesses:** Clarifies that the decision is made by the appointed boards based on impartial analysis, eliminating the burden of countering an administrative recommendation that may be perceived as pre-determining or influencing the outcome.

Chapter 4 (Adult Entertainment)

R-044: Repeal and Reincorporate Adult Entertainment Regulations (City Code Chapter 4).

- **Recommendation:** Repeal Chapter 4 Adult Entertainment and incorporate prohibitions regarding adult entertainment into Chapter 205 Zoning.
- **Justification:** This action will modernize the regulation on Adult Entertainment by repealing the outdated Chapter 4, which originated from Ordinance 610 (1979) and predates the current zoning code. This subject matter should be regulated as a land use matter rather than the way it's currently being handled.
- **Addressed EO Scope:** EO 4.a (Outdated)
- **Legislative History:** The provisions of Chapter 4 Adult Entertainment are derived from Ordinance 610, which was adopted in 1979. Chapter 4 was again amended by Ordinance 915, adopted in 2010.

R-045: Technical Update to Citations (City Code § 1-3).

- **Recommendation:** In City Code § 1-3 (Citations), strike “Director of Economic Development and Planning” and insert “Director of Planning”.
- **Justification:** A technical update to reflect current departmental titles.
- **Addressed EO Scope:** EO 4.a (Outdated)
- **Legislative History:** This is enabled by MD Code, Local Government, § 6-103, which allows municipalities to issue citations for municipal infractions. Article I, "Fines, Penalties, and Imprisonment," as currently codified, is derived from Ordinance 776,

adopted in 1993.

R-046: Technical Update to Alcoholic Beverages Chapter

- **Recommendation:** In City Code Chapter 9 Alcoholic Beverages, strike “Article 2B of the Annotated Code of Maryland” and insert “Alcoholic Beverages and Cannabis” in its place.
- **Justification:** A technical update to reflect current state code annotation, addressing outdated references.
- **Addressed EO Scope:** EO 4.a (Outdated)

Chapter 18 (Animals)

R-047: Explore Agricultural Zoning for Animal Keeping (City Code Chapter 18, Article II).

- **Recommendation:** Explore the possible creation of Agricultural (Ag) zoning for future annexations to better regulate the keeping of certain animals under Chapter 18, Article II.
- **Justification:** Addresses potentially overly restrictive aspects of current animal keeping regulations, supporting agricultural activities.
- **Addressed EO Scope:** EO 4.f (Overly Restrictive),

R-048: Technical Update to Article III Animal Control (18-7 and 18-10)

- **Recommendations:**
 - Strike “Harford County Code, Chapter 4” and insert “Harford County Code, 64 ‘Animals’
 - Strike “County Council Bill 82-10 as adopted into law March 18, 1982” and insert “Harford County Code, 64 ‘Animals’
 - Strike “County Bill. 82-10” and insert “Harford County Code, 64 ‘Animals’”
- **Justification:** A technical update to reflect current County code addressing outdated references.
- **Addressed EO Scope:** EO 4.a (Outdated)
- **Legislative History:** Article III is derived from Ordinance 734 adopted in 1989.

Expanding false alarm penalties to include carbon monoxide, medical, and burglar alarms.

Chapter 9 (Alarm Systems)

R-049 False Arms Article II Required Types

Recommendation: Add language to expand false alarm penalties to include carbon monoxide detectors, medical alarms, and burglar alarms.

Legislative History: The current provisions of Chapter 9 Article II are derived from Ordinance 924 adopted in 2011.

VIII. Community and Business Outreach

Proactive Engagement: Establishing an administrative policy for outreach to new businesses regarding permits and voluntary compliance.

R-050: New Business Outreach and Information Sharing

Recommendation:

Establish an administrative policy requiring the City to proactively engage with and send new businesses information pertaining to the city's permitting process upon opening or during the opening process. The City should establish methods (e.g., field observation, water bill transfers, property transfers) to scan for new businesses and should try to meet with them to inform them of requirements they may need to follow. Additionally, the City should develop a policy to promote voluntary compliance for both commercial and residential properties. See exhibit

Justification:

Proactive outreach minimizes the risk of costly retroactive corrections, code violations, and stops work orders by informing new businesses of requirements (e.g., signage, change of use). This creates a welcoming and pro-business environment by shifting the administrative posture from enforcement-first to support-first.

Addressed EO Scope:

- **Not considered business-friendly:** Failing to inform new businesses of requirements leads to code violations and fines, which is not considered business-friendly.
- **Inefficient:** Proactive outreach is more efficient than reactive code enforcement actions, which consume significant staff time.
- **Create an undue burden on citizens and/or businesses:** Unnecessary fines and delays from unknown requirements create a substantial undue burden on new enterprises.

Historic Preservation Transparency: Requiring written owner consent for historic designations (and recording preservation agreements in land records.

Chapter 97: Historic Preservation

R-051: Owner Consent for Historic Site Boundaries

- **Recommendation:** Amend Chapter 97 to require explicit, written owner consent before the City Council can assign a property to a designated historic boundary or landmark status.
- **Justification:** Requiring property owner concurrence ensures that historic designations are collaborative rather than adversarial. This protects private property rights and fosters better cooperation between citizens and the Historic Preservation Commission.
- **Addressed EO Scope: Undue Burden / Business-Friendly:** Removing the ability to designate properties without consent eliminates a significant burden on property owners and encourages a more welcoming regulatory environment.

R-052: Recordation of Historic Preservation Agreements

- **Recommendation:** The Committee recommends that any historic preservation agreements or specific conditions related to a Certificate of Appropriateness must be recorded in the Land Records of Harford County. Such agreements shall explicitly state they expire upon the legal transfer of the property to a new owner.
- **Justification:** Recording these agreements ensures that future buyers are fully aware of any restrictions on the property, increasing administrative predictability. Terminating the agreement upon transfer prevents long-term restrictions from indefinitely burdening the real estate market.
- **Addressed EO Scope: Overly Restrictive:** Ensuring agreements expire upon transfer prevents perpetual restrictions that may become outdated or cumbersome over time.

Blight Properties' Establishing a "Blighted Property" tax class at twice the standard rate to encourage redevelopment.

Chapter 177: Taxation

R-053: Establishment of a Blighted Property Tax Class

- **Recommendation:** The Committee recommends establishing a specific tax classification for "Blighted Property". Properties meeting this definition shall be taxed at a rate twice the amount of the standard City property tax.
- **Justification:** Higher tax rates on blighted or abandoned properties provide a strong financial incentive for owners to either repair the structures or sell them for

redevelopment. This helps protect the property values of surrounding neighbors and improves the overall civic beauty of Havre de Grace.

- **Addressed EO Scope: Ineffective:** Current standard tax rates do not effectively discourage owners from allowing properties to remain in a deteriorated state.



CITY OF HAVRE DE GRACE

OFFICE OF THE MAYOR

William T. Martin

Executive Order: 2025-01

WHEREAS, the Mayor of the City of Havre de Grace recognizes the importance of promoting an efficient and effective government that supports its citizens and businesses; and

WHEREAS, the current City Code and administrative processes may contain sections or procedures that are outdated, inefficient, cumbersome, or create an undue burden on citizens and businesses; and

WHEREAS, there is a need to establish a dedicated committee to review these aspects and provide recommendations for amendments to the City Code and improvements to administrative policies and processes;

NOW, THEREFORE, be it decided and ordered by the Mayor of the City of Havre de Grace on this 7th day of July, 2025:

1. **Establishment:** The Pro-Business and Pro-Citizen Code Review Committee ("the Committee") is hereby established.
2. **Purpose:**
 - a. The purpose of this executive order is to establish the Committee to improve government efficiency and effectiveness while proposing ways of eliminating city requirements which may be considered overly burdensome for the citizens and business of Havre de Grace and to provide the Mayor a list of recommendations for amendments to the current City Code and changes to any relevant city administrative policies or processes. The Committee shall work under the guidance and direction of the appointed city staff member found under item 3.b.
 - b. The Committee shall review the current City Code to identify sections which create undue burden for the citizens and businesses of Havre de Grace and to provide to the Mayor a list of recommendations of amendments to the City Code to make it less burdensome for the citizens and businesses of Havre de Grace.
 - c. The Committee shall also review the City's current permitting process and develop recommendations to the Mayor for ways to improve and make the City's permitting process more efficient.
 - d. The Committee may also review and provide recommended changes to any city policies or processes they deem necessary to achieve the purpose of this executive order.

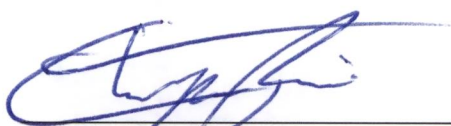
Executive Order 2025-01

Establish Pro-Business and Pro-Citizen Code Review Committee

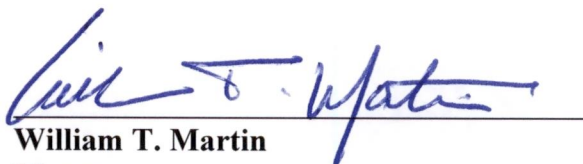
3. **Composition:** The Committee shall consist of no more than 12 members all of whom shall be voting members:
 - a. One (1) member of City Staff who shall also serve as the Chair
 - b. No more than eleven (11) members of the public.
 - c. The members of the Committee shall be appointed by and serve at the pleasure of the Mayor.
4. **Scope:** The Committee shall review the City Code and may review any relevant City administrative policies and processes to identify sections or areas that are:
 - a. Outdated
 - b. Inefficient
 - c. Ineffective
 - d. Cumbersome
 - e. Create an undue burden on citizens and/or businesses
 - f. Overly restrictive
 - g. Not considered business-friendly
 - h. More stringent than State of Maryland requirements.
5. **Open Meetings Act:** The Committee is a public body and as such all meetings of the Committee shall be subject to the Maryland Open Meetings Act.
6. **Information and attendance of staff:** The Committee may request from the Mayor any information they deem necessary to achieve the purpose of this executive order and may request the attendance of any city department head or their subordinates to be present at any meeting. All requests shall be made through the Chair.
7. **Public Testimony:** The Committee may conduct public hearings and receive public testimony to achieve the purpose of this executive order.
8. **Meeting and reporting requirements:** The Committee shall meet no less than twice a month for the next six months and provide to the Mayor a list of recommendations on items 2.a through 2.d and 4.a. through 4.h no later than January 7, 2026.
9. **Reporting Requirements Extension:** The reporting requirements may be extended at the discretion of the Mayor.

Issued under my hand and seal this 7th day of July, 2025.

Witness/Attest



Christopher Ricci
Director of Administration



William T. Martin
Mayor



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
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410- 939-1800

August 8, 2025

Mayor William T. Martin
711 Pennington Ave.
Havre de Grace, MD 21078

**Subject: Request for Staff Attendance, Meeting Schedule Adjustment, and Time Extension
for the Pro-Business and Pro-Citizen Code Review Committee**

Dear Mayor Martin,

You established the Pro-Business and Pro-Citizen Code Review Committee (“the Committee”) on July 7, 2025, through Executive Order 2025-01. Section 6 of the executive order allows the Committee to request the attendance of staff at meetings. Section 8 of the executive order requires the Committee to meet at least twice a month for six months, with a reporting deadline of January 7, 2026. Section 9 of the executive order allows the Mayor to extend these requirements.

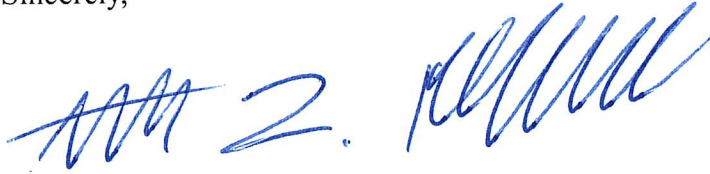
During the Committee meeting on August 7, 2025, a motion was approved to establish a regular meeting schedule. Meetings will be held every other Thursday at 4:00 PM, with the last meeting currently scheduled for March 19, 2026. This schedule is conditional upon your approval of the following requests, as the proposed schedule extends beyond the current deadline of January 7, 2026, and some meeting dates conflict with holidays. Additionally, please note that the proposed schedule includes dates when city staff and/or the city attorney are requested to attend Committee meetings.

The Committee respectfully requests:

1. Approval (scheduling permitted) for city staff and/or the city attorney to attend Committee meetings on the dates listed on the proposed schedule.
2. Permission to hold fewer than two meetings a month when standing meetings conflict with a holiday.
3. An extension of its reporting deadline from January 7, 2026, to March 19, 2026.

Thank you for your consideration of these requests.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Rybczynski". The signature is stylized with a large "A" and "R".

Adam Rybczynski, Committee Chair

Enclosure: Proposed Committee Schedule

CC: Clark Turner
James Miller
Charlie Hiner
Scott Elliott



The City
of
Havre de Grace

Adam Rybczynski <adamr@havredegracemd.com>

Subject: Request for Staff Attendance, Meeting Schedule Adjustment, and Time Extension for the Pro-Business and Pro-Citizen Code Review Committee

Bill Martin <billm@havredegracemd.com>

Mon, Aug 11, 2025 at 11:59 AM

To: Adam Rybczynski <adamr@havredegracemd.com>

Cc: Clark Turner <clarkt@bobward.com>, James Miller <jmiller320@yahoo.com>, Charlie Hiner <charliehiner@comcast.net>, Scott Elliott <sellott@harfordbank.com>, April Ishak <april@havredegracemd.com>, April Ishak <april@ishaklaw.com>, Christopher Ricci <chrisr@havredegracemd.com>, Joe Conaway <joec@havredegracemd.com>, Geoff Goins <geoffg@havredegracemd.com>, Jonathan Krass <jkrass@havredegracemd.com>, Joseph Alton <jalton@havredegracemd.com>

Good morning, Adam.

I am in receipt of your email. I approve of all three requests to your letter. I wish to thank you and the members of your committee for your time and dedication to improving our city's code.

Please let me know if I can assist you in any other way.

Bill

On Fri, Aug 8, 2025 at 11:28 AM Adam Rybczynski <adamr@havredegracemd.com> wrote:

[Quoted text hidden]

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William T. Martin
Mayor

[Quoted text hidden]

Pro-Business and Pro-Citizen Code Review Committee Schedule

Note: Chapter 190, Vehicles and Traffic, is not included.

Meeting Date	Preliminary Adoption of Findings and Recommendations	Chapters or items for review and discussion
August 7		Chapter 1 General Provisions Chapter 4 Adult Entertainment Chapter 9 Alarm Systems Chapter 12 Alcoholic Beverages Chapter 18 Animals Chapter 52 Curfew Chapter 84 Fortune Telling Chapter 180 Taxicabs
August 21	Chapter 1 General Provisions Chapter 4 Adult Entertainment Chapter 9 Alarm Systems Chapter 12 Alcoholic Beverages Chapter 18 Animals Chapter 52 Curfew Chapter 84 Fortune Telling Chapter 180 Taxicabs	Chapter 2 Adequate Public Facilities Chapter 25 Boards, Committees and Commission (limited to Planning Commission and Board of Appeals) Chapter 31 Building Construction Chapter 81 Forest Conservation Chapter 89 Grading and Filling Chapter 102 Landscaping Chapter 122 Parking, Off Street Chapter 134 Plumbing Standards Chapter 155 Site Plan Approval Chapter 173 Subdivision Regulations Chapter 186 Tress Chapter 196 Water and Sewer Rates Chapter 205 Zoning
September 4 Guest: Staff from Planning and		Chapter 2 Adequate Public Facilities

DPW City Attorney		Chapter 25 Boards, Committees and Commission (limited to Planning Commission and Board of Appeals) Chapter 31 Building Construction Chapter 81 Forest Conservation Chapter 89 Grading and Filling Chapter 102 Landscaping Chapter 122 Parking, Off Street Chapter 134 Plumbing Standards Chapter 155 Site Plan Approval Chapter 173 Subdivision Regulations Chapter 186 Tress Chapter 196 Water and Sewer Rates Chapter 205 Zoning
September 18 Guest: Staff from Planning and DPW City Attorney		Review of the permitting process
October 2	Chapter 2 Adequate Public Facilities Chapter 25 Boards, Committees and Commission (limited to Planning Commission and Board of Appeals) Chapter 31 Building Construction Chapter 81 Forest Conservation Chapter 89 Grading and Filling Chapter 102 Landscaping Chapter 122 Parking, Off Street Chapter 134 Plumbing Standards Chapter 155 Site Plan Approval Chapter 173 Subdivision Regulations Chapter 186 Tress Chapter 196 Water and Sewer Rates Chapter 205 Zoning	

October 16	Chapter 2 Adequate Public Facilities Chapter 25 Boards, Committees and Commission (limited to Planning Commission and Board of Appeals) Chapter 31 Building Construction Chapter 81 Forest Conservation Chapter 89 Grading and Filling Chapter 102 Landscaping Chapter 122 Parking, Off Street Chapter 134 Plumbing Standards Chapter 155 Site Plan Approval Chapter 173 Subdivision Regulations Chapter 186 Tress Chapter 196 Water and Sewer Rates Chapter 205 Zoning	
October 30 Guest: Director of Administration and HR manger		Chapter 15 Amusement Devices Chapter 28 Boating Chapter 35 Burning, Outdoor Chapter 38 Cable Communications Chapter 70 Fees Chapter 130 Personnel Chapter 138 Promenade
November 13	Chapter 15 Amusement Devices Chapter 28 Boating Chapter 35 Burning, Outdoor Chapter 38 Cable Communications Chapter 70 Fees Chapter 130 Personnel Chapter 138 Promenade	
November 27 - Thanksgiving - No meeting		
December 11 Guest: City Attorney, Director of Administration, PD		Chapter 20 Annexation policy and Procedure Chapter 61 Elections Chapter 67 Ethics

Command Staff		Chapter 73 Firearms Chapter 108 Loitering Chapter 112 Markets Chapter 116 Noise Chapter 120 Nuisance Chapter 127 Peddling and Soliciting
December 25 - Christmas - No Meeting		
January 8, 2026 Guest: Planning Department Staff	Chapter 20 Annexation policy and Procedure Chapter 61 Elections Chapter 67 Ethics Chapter 73 Firearms Chapter 108 Loitering Chapter 112 Markets Chapter 116 Noise Chapter 120 Nuisance Chapter 127 Peddling and Soliciting	Chapter 93 Guest Registration Chapter 99 Incentive Conversion Program Chapter 144 Property, Unclaimed Chapter 145 Rights-of-way installation of facilities Chapter 147 Rental Property Chapter 151 Signs Chapter 166 Special Assessments
January 22		Chapter 93 Guest Registration Chapter 99 Incentive Conversion Program Chapter 144 Property, Unclaimed Chapter 145 Rights-of-way installation of facilities Chapter 147 Rental Property Chapter 151 Signs Chapter 166 Special Assessments
February 5	Chapter 93 Guest Registration Chapter 99 Incentive Conversion Program Chapter 144 Property, Unclaimed Chapter 145 Rights-of-way installation of facilities Chapter 147 Rental Property Chapter 151 Signs Chapter 166 Special Assessments	Chapter 25 Boards, Committees and Commissions Chapter 97 Historic Preservation Chapter 162 Solid Waste Chapter 174 Swimming, Fishing and Camping Chapter 177 Taxation Chapter 198 Water and Sewers
February 19 Guest:	Chapter 25 Boards, Committees and Commissions Chapter 97 Historic Preservation	Chapter 49 Critical Area Chapter 78 Floodplain Management

Planning Department and DPW staff	Chapter 162 Solid Waste Chapter 174 Swimming, Fishing and Camping Chapter 177 Taxation Chapter 198 Water and Sewers	Chapter 169 Stormwater Management
March 5	Chapter 49 Critical Area Chapter 78 Floodplain Management Chapter 169 Stormwater Management	
March 19	Final Adoption of Findings and Recommendations	



CITY OF HAVRE DE GRACE

OFFICE OF THE MAYOR

William T. Martin

February 24, 2026

Adam Rybczynski
Chair, Pro-Business and Pro-Citizen Code Review Committee

RE: Request for Public Testimony Meeting regarding RO, RB, and MOE Districts

Dear Mr. Rybczynski,

Please schedule a meeting of the Pro-Business and Pro-Citizen Code Review Committee at its earliest convenience.

The purpose of this meeting will be to receive formal public testimony regarding the City's current zoning code for the following zoning districts:

- RO (Residential Office District)
- RB (Residential Business District)
- MOE (Mixed Office/Employment Center)

As our city continues to evolve, it is vital that our code reflects a balance that supports both economic growth and the quality of life for our residents.

I look forward to reviewing the committee's findings and the community's input following the session.

Sincerely,

William T. Martin
Mayor



Chapter 18 Animals - Article II & Article IV - IRT: Pro-Business and Pro-Citizen Code Review for 07AUG25 at 1530

3 messages

Kirk Smith <kirksmith626@gmail.com>

Thu, Aug 7, 2025 at 10:04 AM

To: Adam Rybczynski <adamr@havredegracemd.com>

Cc: Carrie Parsons-Dobney <Carrie.parsons.dobney@gmail.com>, kebens24@yahoo.com, Christopher Ricci <chrisr@havredegracemd.com>

Good Morning, Adam,

I have some concerns with the way that Chapter 18 Animals is written in the city code to wit and would like the following read into the committee records:

Article II Keeping of Certain Animals

Currently the legislation is enacted and forbids the keeping of hogs. Yet as the city has annexed properties and will continue to grow under Chapter 20 Annexation Policy and Procedures there will come a time when ranchers and even children in 4H or other agricultural youth groups will be directly impacted.

It is my opinion, therefore, that Statute 18-4 Keeping of Live Pigs or Hogs is Prohibited, to be removed in its entirety. While the city should keep livestock off public streets, roads, lanes, parks, etc without a special use permit from the Administration approved by City Council in session such as temporary use of public lands for a petting zoo, the statute needs amended..

Article IV Feeding of Waterfowl and Wildlife:

I find that Chapter 84 needs some adjustment as to what is allowed vs what is regulated in regards to what citizens are allowed to do on public property in regards to feeding of wild birds and other animals or even pollinators for that matter. Taken in context and for example:

Birds - To include berry bushes, fruit trees, other pollinator plants that are maintained by citizen volunteers such as at any public park.

Bee Apiary Feeders, especially in colder months that are contained within a city public park

Community Gardens, two of the Community Gardens and the Heirloom Victory Garden are on public lands, they are planted by local citizens for personal and other people consumption, There are numerous studies that show that the addition of a pollinator garden that attracts bees, birds, and other wildlife & insects show larger production and are more sustainable. Please see:

<https://ucanr.edu/blog/uc-master-gardener-program-statewide-blog/article/growing-more-food-pollinator-power-national>

Lastly,

The city has been poor about enforcement, thankfully, but, there are a number of feral cat colonies that are maintained by a local non-profit where the feral cats are spayed and neutered to prevent population explosion as citizens and others abandon them to the wilds. I would like to see feral cats removed from the definition of wildlife. Please see:

<https://communityprojectshdg.org/services/stray-streets-tnr/>

With Respect,

Kirk D Smith Sr.

757-752-1828 (c)

Vice Commander & DEC - Joseph L Davis Post 47 TAL, Havre de Grace MD

Member - Havre De Grace Municipal Tree Commission

Adam Rybczynski <adamr@havredegracemd.com>

Thu, Aug 7, 2025 at 10:29 AM

To: Kirk Smith <kirksmith626@gmail.com>

Cc: Carrie Parsons-Dobney <Carrie.parsons.dobney@gmail.com>, kebens24@yahoo.com, Christopher Ricci <chrisr@havredegracemd.com>

Thank you Mr. Smith.

I will pass your comments along to the committee.

[Quoted text hidden]

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Adam J. Rybczynski
City of Havre de Grace
Senior Aide - Office of the Mayor

Adam Rybczynski <adamr@havredegracemd.com>

To: Kirk Smith <kirksmith626@gmail.com>

Thu, Aug 7, 2025 at 11:58 AM

Mr. Smith

FYI- today's meeting is now at 4:00 PM

[Quoted text hidden]



Pro-Business Code Meeting Today

2 messages

Jonathan Green <jgreenproperty@outlook.com>
To: "adamr@havredegracemd.com" <adamr@havredegracemd.com>
Cc: Mitch Ensor <Mitch@baystatelandservices.com>

Thu, Sep 4, 2025 at 2:46 PM

Adam

Thanks for organizing this meeting today.

In our efforts to get the Legacies to Preliminary Plan we have encountered several zoning glitches/issues.

They are:

1 - Landscape trees. The code requires a certain number of trees per linear foot along the roads. They are restricted to road front. On a street with townhouses, there isn't enough room for a tree, a BG&E electric line, a water line, a sewer line and a driveway in front of the dwelling. This will create a wall of trees along the road and headaches for DPW.

The City can set a minimum tree count along the road but there needs to be flexibility for backup locations in the development for planting landscape trees. Other locations for trees on the site could be along the trail, behind some of the townhouses or in the rear of some single-family homes.

Street trees every 50' for large trees creates a situation for the Legacies 60' wide lots. Every fifth lot will require two large trees. You can barely fit one large tree on a 60' lot. Two can't be done.

There are a number of other scenarios where fire hydrants, street lights, Comcast transfer cases and site lines pinch area where a tree can be located.

2- The site plan approval timeline is one (1) year. As discussed in the City Council meeting last Tuesday, approvals get held up by forces outside of the City. Phased developments can't comply. All plans should have a minimum three (3) year window with the ability to extend.

I plan to attend the meeting at 4 pm today.

Thanks

Jonathan Green

Manager

Jonathan Green Property LLC

410.707.9800

Adam Rybczynski <adamr@havredegracemd.com>

To: Jonathan Green <jgreenproperty@outlook.com>

Cc: Mitch Ensor <Mitch@baystatelandservices.com>

Thu, Sep 4, 2025 at 2:51 PM

Thank you Mr. Green. I will pass your comments along to the committee.

[Quoted text hidden]

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Adam J. Rybczynski

City of Havre de Grace

Senior Aide - Office of the Mayor

Pro-business and Pro-citizen Code Review Committee

Comments from Coalition for Sensible Development of Havre de Grace

March 19, 2026

The Coalition for Sensible Development of Havre de Grace appreciates the opportunity to comment on reconsideration of the RB, RO and MOE zones. Before addressing those zones however and because the Committee is considering city code issues more broadly, the Coalition strongly believes that fundamental land use processes must be reformed in Havre de Grace before any land use applications or rezonings go forward.

1. Enforce the existing City Code

Time and again, the city allows land use applications to proceed before proper vetting or completeness. Members of the Coalition were compelled to appeal the recent administrative decision of the Department of Planning approving the Forest Conservation Plan for the Legacies subdivision that failed to consider reports of undisclosed specimen trees slated for clearing, failed to consider the forest slated for clearing as part of a larger contiguous forest and failed to consider the forest listed on the National Register of Historic Places as a priority retention forest. These failures occurred after 4 specimen trees shown elsewhere on the property's Forest Stand Delineation drawing were removed without the required variance. These examples reflect a systematic failure to follow the City's Forest Conservation Code throughout the city, including the removal of 24 specimen trees on Clark Road without required findings by the Department of Planning or referral to the Maryland Department of Natural Resources.

Nor should the Conditional Use petitions for a gas station and hotel on the Green Property as presented have ever made it to the Board of Appeals and certainly not with recommendations for approval. The petitions lacked the basic site plans and details of the proposed uses required under the code to provide an informed evaluation of the petitions. Fortunately, the Board of Appeals recognized the petitions' shortcomings and tabled them with requests for additional information. The petitioners subsequently withdrew their applications.

The citizens of Havre de Grace rely on the city to properly apply the law to each land use application. Failure to apply the law undermines confidence in the process and produces bad land use decisions. It also wastes everyone's time.

2. Provide more transparency

It is very difficult for citizens to follow what is happening with important land use matters. Minimum 15 days' notification is provided for hearings on individual matters. The notification occurs either on the city website calendar or directly to adjoining landowners. The description of the proposed action is limited to the staff report reviewing the application. As shown in the Conditional Use applications for the Green Family property, that staff report can be faulty. The underlying application materials are not provided and are only available through a Public Information Request. While the city is fairly responsive regarding such requests, they could lawfully take up to 30 days - beyond the date of the hearing itself.

All application materials are public documents and should be available online as they are accepted by the Planning Department and made available to the Planning Commission or Board of Appeals. Setting up a website so the public can download such documents should not be a difficult thing. So too should any decisions of the Planning Commission, Board of Appeals, Planning Department, Department of Public Works or other administrative agencies be readily available. Those decisions are often subject to a 30-day appeal limitation but, again, are only reliably available through a PIA request which, again, can take 30 days by itself. This leaves the public and administration with the inefficient process of repeated PIA requests when the information should be available online.

MOE Zone / RB Zone and the Gateway to Havre de Grace

The Coalition for Sensible Development of Havre de Grace was gratified to learn that the Green family withdrew its Board of Appeals special use permit petitions for a gas station and hotel at the corner of Bulle Rock Parkway and Route 155. As we noted previously, the Petition raised serious concerns in the community and failed to provide the plans and information required under the City Code. It could have resulted in a high impact, highway interchange type development that is contrary to Havre de Grace's character and policies. The Coalition respectfully suggests that this interlude presents a vital opportunity for the city to be proactive in shaping the future of this important property, together with MOE properties, to meet the goals of the Comprehensive Plan, the intent of the MOE and RB zoning districts and the guidance found in the city's annexation of the properties.

The City's recently adopted Comprehensive Plan emphasizes that the land along Route 155 from the I-95 interchange through the MET conservation easement below Mt. Felix, sits at a highpoint in the city and represents "The Gateway to Havre de Grace."

Nowhere else in Harford County or the region are the views as sublime as those descending from this [MD 155/ I-95] interchange into the City of Havre de Grace. This is our Gateway and we want to ensure that the continued experience is a complementary one that recognizes the important national history here and holds the majestic nature of the terrain in high value....Overall sensitive, integrated design is key to honoring this landmark and the remarkable beauty of this Upper Bay terrain (page 2-2).

For some 20 years the city has recognized the farmland at the intersection of I-95 and Route 155 as both a prime development opportunity and a huge planning responsibility. It created the MOE zone there particularly to accommodate a mix of office, institutional and retail uses in a self-sustaining, well designed, campus setting. Special care was provided to integrate pedestrian movement, open space, landscaping and architectural controls within that setting. Under Section 205-29 of the Code:

The purpose of this article is to promote major economic development opportunities, including but not limited to corporate offices, research and development facilities and high-tech services, which have a positive effect on the City's economic tax base and employment opportunities through encouraging a campus-like development that has a compatible mixture of employment, office, commercial, recreational, civic and/or cultural uses which are integrated and developed under an overall master plan with limited retail. Retail uses within the MOE District are primarily intended to serve those individuals employed within the MOE District. Development within the MOE District shall incorporate a pedestrian precinct, as defined herein, to promote a pedestrian friendly environment allowing non-vehicular movement within the development linking all uses and promoting the principles of smart growth. This article is designed to require that office and institutional/recreational uses are built prior to or simultaneously with retail uses.

Section 205-29 requires that all projects presented be consistent with an overall concept plan for the district and that, "All uses shall be designed to be a harmonious and integral part of the district in terms of orientation, visibility, traffic access and pedestrian circulation." It then goes on to detail the development standards that must be met for such criteria. Amendments to the zone further incorporated the UMD proposals for a hospital on the site.

The greater Sion Hill property across Bulle Rock Parkway from the MOE zone was annexed into the city under a single concept plan but without zoning tailored to the site like the MOE zone. Instead, those properties were zoned RB. The RB zoning granted to the Green, Ianniello, Patrone and Johnson properties in the City's Annexation Resolution No. 2020-16 represents the highest density zoning in the City. It previously applied only to the City's historic core

characterized by diverse uses in a walkable setting. The RB district's stated intent is to "allow for compact urban residential areas with convenient public services and commercial uses that are compatible with nearby residential uses" (Section 205-26 A). In advising the City on the rezoning and single concept plan for the properties, the Department of Planning's July 14, 2020 staff report reinforced the RB zone's intent. "The Department of Planning encourages the developers to utilize innovative concepts or incorporate New Urbanist or Traditional Neighborhood Design Principles (TND) in the design of their project." Examples of such development can be found in places like Kentlands in Gaithersburg, but also downtown Princeton NJ and Kent CT among many others.

Unfortunately, the RB zoning as utilized at the Sion Hills Estate subdivision and the Legacies subdivision on the Green properties together with the sketch plan for Ianniello property do not reflect the RB district's intent or the vision of New Urbanism expressed in the documents supporting the annexation. Rather than a mix of uses surrounding village greens in harmonious development patterns, the city is left with high density, suburban residential development. Even the five-acre park that was central to the concept plan was shunted off to the forest that should be preserved in any event. The application for the conditional use permits for a gas station and hotel at the corner of 155 and Bulle Rock Parkway sounded the alarm that the Gateway to Havre de Grace could become a typical highway interchange featuring a Buc-ee's or Pilot truck stop.

How might the city be proactive in shaping this property? The city has previously applied site specific zoning to large parcels including the Planned Adult Community zone for Bulle Rock and the MOE zone. The point of those zones was to promote fully integrated, well-planned development, whether residential or commercial. The existing commercial zone also allows a commercial corridor mixed use (§ 205-37.1) overlay zone "to provide opportunities for developments to mix multifamily residential uses with retail trade, service and institutional uses, with an emphasis on creativity, quality design, and in close proximity to mass transit." Understanding that the MOE zone needs rethinking since the UMD will not be pursuing a hospital on Route 155 and that a large scale office campus may no longer be viable in the current market, the Comprehensive plan advised the city to:

Commission site-specific, form-based, integrated planning for the development of new or revised zoning classifications for areas of the City, much like the effort performed for the UM Harford Memorial Hospital [downtown] site. Areas for this level of study include but are not limited to: the MOE zoned property at the I-95/MD 155 interchange (now identified under the name of Gateway as a land use category); the former Tranquility Townhomes site; and the downtown Main Street District (p 2-17).

The Green property sits across Bulle Rock Parkway from the UMD property at the top of the hill and is fully integral with the “Gateway” together with the historic Sion Hill residence (the entire Green property is listed on the National Register of Historic Places) and the 50-acre Maryland Environmental Trust easement leading into town with views of the Chesapeake Bay. It too requires site-specific, form-based, integrated planning and design under the Comprehensive Plan.

Though site specific zoning examples already exist in the city code, traditional rezoning is not necessarily the first step to produce a program and design for the Gateway properties that responds to city policy. The downtown revitalization project featured fully engaged public participation, led by the Toole Design Group, resulting in terrific improvements that were fully compatible with the RB zone while advancing New Urbanism principles of walkable, well landscaped, downtown streets. The same kind of open process occurred with the downtown hospital site where alternatives were discussed, and the public fully engaged. Here too, the “form based” planning ideas explored were directly applicable to Traditional Neighborhood Design principles called for in the Sion Hill annexation. In the end, the downtown hospital did produce a proposal that provides the scale of development, harmonious setbacks, architectural character, integration of open space and reintroduction of city lanes that were featured in that form-based planning process and supported by residents. A similar planning process could apply to the Gateway properties as well.

However, such an integrated planning process does require work. It requires a market analysis of what is economically feasible in this location beyond knee jerk highway interchange programing (or data centers). It requires traffic studies to understand how the interchange and local roads can support certain levels of development activity without road improvements that completely change the character of the area. It requires careful analysis of water and sewer capacity that has long limited development in this area. A new program could possibly include additional housing but in line with school capacity. And any planning study must include careful analysis of the existing landscape and views to ensure that the natural heritage of the area is preserved as new development is accommodated. With a sound baseline of information created through due diligence, the public should be engaged before any design is started and well before any formal applications are submitted. The ultimate program, design and land use controls would result from such a process. And while it represents additional work up front, it inevitably saves time and expense down the road.

Fully engaging the public in a thoughtful planning and design process is not unusual. Rather it is typical. Many developers recognize it as a productive means of achieving a

successful approval process and better product. As Havre de Grace has already shown, municipalities also recognize it as a proactive approach to advancing public interest. However, to fully achieve its stated policies, it is important for the city to lead on this project, not simply react. The Coalition is fully committed to assisting with this effort.

Other areas briefly noted:

The downtown area and Route 40 remain key opportunities for redevelopment. This is where infrastructure, businesses, services and limited public transportation already exist. It is far better to make use of underutilized resources before destroying natural features that give the city its special character. While Clark Turner will undoubtedly produce a fine project for the downtown hospital site and single-family homes was the public choice for the site, it could be well argued that the site will be underutilized, especially if public funds are expended to demolish the hospital. The city should also be actively planning the future of the Evonik site and the Tranquility Home site and should look to incorporate a mix of uses in any new or redeveloped site along Route 40 such as Harbor Shops II. Let's make the best use of what we already have before we destroy more open space.