

Amendment 34 to Council Bill No. 28 -2023

**BY: The Chairperson at the Request
of the County Executive**

**Legislative Day 11
Date: October 2, 2023**

Amendment No. 34

(This Amendment provides a history of the noise associated with Baltimore Washington International (BWI) Airport, the Airport-Noise Zone (ANZ), the Federal Aviation Administration’s NextGen satellite guidance system, and the BWI Roundtable.

The Amendment also adds a policy statement (CIM Policy Action 10) and related Implementing Action that the County shall explore the opportunities to reduce the impacts of noise and air pollution generated by air travel and shall ensure that future residential development considers these evolving conditions.)

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following
2 pages as indicated in this Amendment:

- 3 • Chapter 4, County in Motion – insert new pages 32A and 32B and amend page 34
- 4 • Chapter 11, Implementation – page 28 (noting that EP-1 and EP-2 had been on page 28
5 and have been moved to page 29 to accommodate new CIM-Policy Action 10)

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7 Correct all page numbers, numbering, and formatting within this Act to accommodate this
8 amendment.

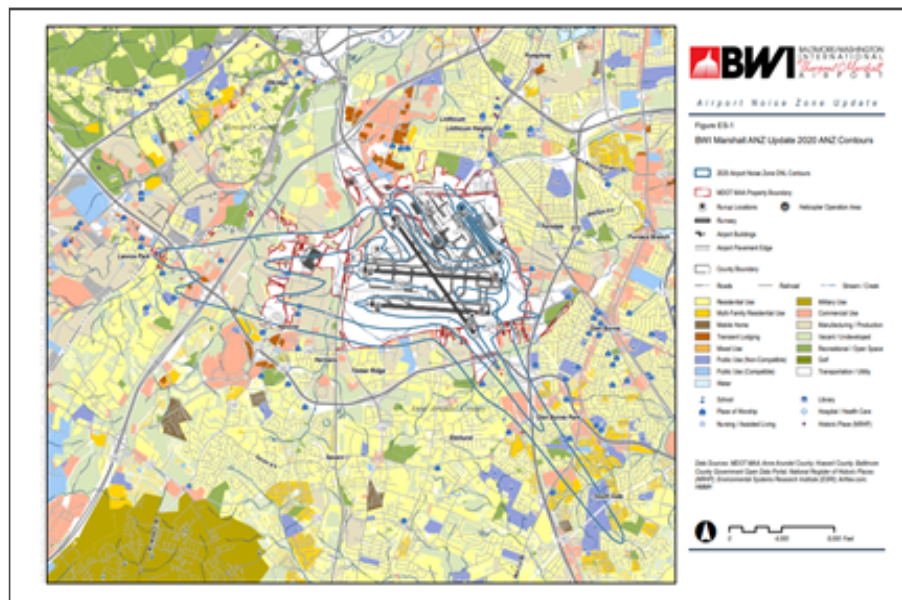
Baltimore/Washington International Airport Flight Paths

Noise associated with Baltimore/Washington International (BWI) Airport air traffic was recognized as far back as the 1982 General Plan, which described an objective “to ensure that general aviation activity does not produce excessive noise in residential areas.” Three years after the adoption of PlanHoward 2030, the Federal Aviation Administration (FAA) implemented NextGen, resulting in more noise impacts to residents in Howard County than ever before.

To date, the only official recognition of airport noise impact zones by the Maryland Department of Transportation (MDOT) Maryland Aviation Administration (MAA) is the Airport Noise Zone (ANZ). According to the MAA website, the ANZ was created “to control the incompatible land development around BWI Marshall Airport and develop a Noise Abatement Plan (NAP) to minimize the impact of aircraft noise on people living near the Airport.”

This ANZ zone is an “overlay” on local land use regulations establishing limits in addition to those in local zoning and subdivision controls. The Noise Abatement Plan establishes controls and restrictions on airport/aircraft operations that will minimize the impact of noise on communities surrounding the BWI Airport. Within the BWI Airport Noise Zone, most industrial, commercial, and recreational activities are permitted, but residential development and many community facilities (such as churches, libraries, schools, and hospitals) are not, except for pre-existing uses. Should a developer wish to develop such uses, he/she must petition the Board of Airport Zoning Appeals (BAZA) showing that his/her proposal meets specific noise reduction standards. Similarly, the height of temporary and permanent new structures within a four-mile radius of BWI is also regulated by MAA. Potential non-height related “obstructions,” such as lighting, are also subject to MAA regulations.

The first ANZ and NAP for BWI were adopted in 1976 and were most recently updated in 2020. In the 2020 update, the MDOT MAA expanded the ANZ by approximately 23% due to various operational details, including changes in flight paths and the aircraft fleet mix. Additionally, in 2015, BWI adopted the FAA’s NextGen satellite guidance system that contributed to many of these operational changes. As seen on the map below, the ANZ changes have had a significant impact on Anne Arundel County and abut the Howard County border.



Source: MDOT MAA Airport Noise Zone Update, December 2020

While the expansion of the ANZ has had very limited, if any, overlap with Howard County, BWI’s operational changes and aircraft noise have, nonetheless, had an impact on Howard County residents and communities.

To mitigate the noise from BWI’s NextGen system, the BWI Roundtable was formed in 2017. It includes representatives from Howard and Anne Arundel Counties appointed by state and local government representatives. The Roundtable called for changes to the operational procedures and flight patterns to lessen the airplane noise disturbances. These changes are anticipated to go into effect in the Spring/Summer of 2024.

Another concern expressed by residents pertains to the air pollution that may be caused by airplane particulate matter. Airplane exhaust, like car exhaust, contains a variety of pollutants, such as sulfur dioxide and nitrogen oxides. The County should work with state and federal partners to evaluate if the particulate matter has an impact on the air quality of Howard County communities within the flight paths.

As BWI operations, flight patterns, and the understanding of the impacts of aircraft noise and particulate matter have and will continue to evolve, the County should continue to monitor these impacts on Howard County communities, especially as it pertains to future residential building location and design. This is particularly important given recent studies on the impact of airport noise conducted at the request of the Maryland General Assembly, and FAA’s consideration of changes to noise measurement policies to more accurately reflect the true impact of noise on residents near airports.

While proximity to BWI serves as an economic generator for the movement of goods and provides many benefits to County residents and businesses who desire convenient access to commercial air travel, the County should continue to advocate and participate in discussions with the Federal Aviation Administration around mitigation of impacts associated with BWI flight paths. Development within Howard County that falls within the ANZ or other state or federally defined flight zones should utilize best practices in building standards for attenuating noise.

CIM-10 Policy Statement

Explore opportunities to reduce the impacts of noise and air pollution generated by air travel and ensure that future residential development considers these evolving conditions.

Implementing Actions

1. Continue participating on the BWI Roundtable to track the proposed technical changes requested by the BWI Roundtable and agreed to by the Federal Aviation Administration (FAA).
2. Continue to encourage the MAA and FAA through County participation in the BWI Roundtable to identify and develop additional and necessary changes to NextGen that reduce airplane noise disturbances.
3. Continue to advocate for State and Federal Policies to help communities monitor the airplane particulate matter in communities within state or federally defined zones associated with BWI flight paths (existing height and noise).
4. Research national trends and explore and implement requirements for innovative building designs that reduce airplane noise in areas highly impacted by BWI operations.
5. Partner with the State of Maryland to implement policies and programs that will reduce and/or minimize impacts on the most highly impacted residents and continue to participate in all future updates to the ANZ and NAP updates.

TRANSPORTATION INVESTMENT PRIORITIES

Howard County's transportation needs and preferences have changed significantly over the last three decades. Travel demands and commuting patterns have settled along major corridors that are now generally built to their ultimate size and configuration.

While automobile travel will continue to dominate travel patterns for the near future, there is growing and demonstrated community interest in improving the safety and efficiency of the transit, bicycle, and pedestrian networks. Many community members continue to express their desires to replace their work, shopping, or other automobile trips with more economic and environmentally-conscious choices. These preferences are starting to be reflected in the County's shift to building a transportation system focused on travel time reliability, safety, and travel choices for all members of the community. Since the adoption of PlanHoward 2030, substantial investments have been made in transit, bicycle, and pedestrian facilities. Eleven percent of capital transportation spending is focused on these three non-automobile categories while operational and capital investments for the transit system are also increasing dramatically. The future mixed-use activity centers envisioned in HoCo By Design complement this shift to greater walking, bicycling, and transit use. Refer to the Quality By Design chapter and Focus Areas appendix for details on how design can facilitate increased use of non-automobile modes.

To continue to support this shift in direction, the County should use the Significant Transportation Investments to Support Growth & Redevelopment Map and Table (Map 4-2 and Table 4-1) to guide county investments in, and support of, transportation projects and activities. The selection of projects is not intended to be exclusive since many county projects are focused on specific operational issues and might not be shown on the map. Further, projects are not listed in priority order (they have not been prioritized). The projects shown were selected based on travel trends and forecasts, PlanHoward 2030 transportation projects, and more recent functional planning projects—including the Regional Transit Plan for Central Maryland, Walk Howard, the Strategic Road Safety Plan, and the Complete Streets Policy.

The map and table will not only guide county priorities but also support the County's partnerships and advocacy for large regional transportation projects and initiatives. These regional efforts could be funded and implemented by the Maryland Department of Transportation in the Consolidated Transportation Program or advanced in the Baltimore Metropolitan Council's Long-Range Transportation Plan, which is critical to ensuring projects are eligible for federal funding.

Howard County's transportation investment priorities should also be informed by the reality of county transportation funding. County spending for transportation is divided between operating costs, such as transit services and routine maintenance costs, and capital costs, such as engineering intersections, resurfacing roads, rehabilitating bridges, installing traffic signals, maintaining bicycle and pedestrian facilities, and replacing transit vehicles. Both operating and capital funding in the County are limited and can change significantly from year to year, which makes it difficult to sustain a steady pipeline of projects to plan, engineer, and construct over time. As a result, many projects identified for implementation in the CIP have been delayed due to funding constraints, and some older projects may not advance the policies and goals in HoCo By Design. The County should reevaluate the purpose and need of these delayed projects to ensure they are consistent with HoCo By Design.

Map 4-3 shows the current road system in Howard County by functional class. These functional classifications, coupled with design guidance in the Howard County Design Manual, are used to determine the right-of-way and road improvements required for both private development projects and county capital projects. The map divides roads into five functional classifications, primarily organized based on vehicle throughput. New roads, as they are built and accepted into the county road system, are assigned a functional classification based on their design. These five classifications are matched to multi-modal street types in the Howard County Design Manual, which details the process to design a road based on its full context to meet the goals of the Complete Streets Policy (see pages 39-40 below).

To further identify transportation investment priorities, the County should develop a countywide transportation plan that:

- Results from a comprehensive process that engages the County's diverse population, including users of all transportation modes.
- Builds upon the Significant Transportation Investments to Support Growth & Redevelopment Map (Map 4-2), functional plans, and corridor master plans.
- Incorporates complete streets typologies.
- Reevaluates the purpose and need of the existing transportation system and proposed transportation projects to ensure consistency with county goals and funding.
- Aligns with the equity in capital planning approach described in HoCo By Design's Supporting Infrastructure chapter, and the emission reduction goals in the County's Climate Action Plan.

CIM-10 11 Policy Statement

Advance transportation planning and transportation investments to support an economically and environmentally sustainable transportation system that moves people safely and efficiently throughout the County and supports the land use and equity goals in HoCo By Design, including its emphasis on mixed-use activity centers.

Implementing Actions



1. Develop a countywide transportation plan and conduct a focused transportation study for each activity center in the Route 1 Corridor.
2. Continue to use the Functional Road Classification Map to guide the design, capacity, and function of roads as they are built or improved.
-  3. Implement HoCo By Design's recommendations for transit service through future transit service functional plans or master plans.
-  4. Continue to implement recommendations from WalkHoward and BikeHoward as methods to advance the broad concepts and recommendations in the General Plan.
5. Ensure the Design Manual is consistent with the General Plan as part of the regular update process for the Design Manual.

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
CIM-8 - Actively plan for and evaluate the impact of technology and climate change on the transportation system.		
1. Evaluate and update parking and land development requirements to reflect greater use of mobility and delivery as service models.	DPZ OOT	Mid-Term
2. Amend design standards and asset management approaches to ensure resilience.	DPW OOT DPZ	Mid-Term
3. Support the installation of electric vehicle (EV) charging stations in private and public space, with particular attention to shared parking lots to ensure they are EV ready by including connections and infrastructure.	DPW OCS OOT Private Partners	Ongoing
4. Evaluate and address the potential impact of electric vehicle charging stations on electric power requirements.	DPW OOT OCS	Long-Term
5. Participate in regional and state coordination efforts to ensure federal and state regulations on connected and autonomous vehicles account for vulnerable road users such as pedestrians and cyclists.	OOT	Ongoing
CIM-9 - Support efforts to improve air quality with an emphasis on communities and populations most threatened by high levels of pollution.		
1. Develop land use and environmental policy strategies that reduce the impact of diesel particulate matter in communities adjacent to industrial areas.	OCS OOT	Long-Term
2. Develop a plan to transition the County's fleet (including school buses and contracted services) to low/no emission vehicles.	OOT OCS	Mid-Term
3. Continue to invest in increasing public transit frequency and walking and cycling infrastructure to support both a more equitable transportation system and shifts away from automobiles to non-automobile modes.	OOT	Ongoing
4. Consider targeted financial incentives to property owners and companies that deploy electric vehicle charging infrastructure, idle reduction technology, and other technologies that capture or mitigate diesel emissions at the source.	OOT OCS Private Property Owners	Mid-Term
5. Consider a subsidy program to support low emission vehicles, bicycles, and scooters in traditionally underserved communities.	OOT	Long-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
CIM-10 - Explore opportunities to reduce the impacts of noise and air pollution generated by air travel and ensure that future residential development considers these evolving conditions.		
1. Continue participating on the BWI Roundtable to track the proposed technical changes requested by the BWI Roundtable and agreed to by the Federal Aviation Administration (FAA).	OOT Elected Officials	Ongoing
2. Continue to encourage the MAA and FAA through County participation in the BWI Roundtable to identify and develop additional and necessary changes to NextGen that reduce airplane noise disturbances.	OOT Elected Officials	Ongoing
3. Continue to advocate for State and Federal Policies to help communities monitor the airplane particulate matter in communities within state or federally defined zones associated with BWI flight paths (existing height and noise).	OOT Elected Officials	Mid-Term
4. Research national trends and explore and implement requirements for innovative building designs that reduce airplane noise in areas highly impacted by BWI operations.	DPZ OOT DILP	Mid-Term
5. Partner with the State of Maryland to implement policies and programs that will reduce and/or minimize impacts on the most highly impacted residents and continue to participate in all future updates to the ANZ and NAP updates.	DPZ OOT	Mid-Term
CIM-10 11- Advance transportation planning and transportation investments to support an economically and environmentally sustainable transportation system that moves people safely and efficiently throughout the County and supports the land use and equity goals in HoCo By Design, including its emphasis on mixed-use activity centers.		
1. Develop a countywide transportation plan and conduct a focused transportation study for each activity center in the Route 1 Corridor.	OOT DPW	Mid-Term
2. Continue to use the Functional Road Classification Map to guide the design, capacity, and function of roads as they are built or improved.	DPW OOT DPZ	Ongoing
3. Implement HoCo By Design's recommendations for transit service through future transit service functional plans or master plans.	OOT DPZ	Long-Term
4. Continue to implement recommendations from WalkHoward and BikeHoward as methods to advance the broad concepts and recommendations in the General Plan.	OOT	Ongoing
5. Ensure the Design Manual is consistent with the General Plan as part of the regular update process for the Design Manual.	OOT	Long-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EP-1 - Retain and expand the use of industrial land to support employment opportunities that pay a living wage.		
1. As part of the Zoning Regulations update, consider protective measures to ensure an adequate long-term supply of industrial land, such as additional requirements or impact statements for rezoning industrial land, zoning that discourages incompatible uses in heavy industrial areas, heavy buffer requirements for non-industrial users locating near heavy industrial land, or industrial overlay zoning for prime industrial land.	DPZ	Mid-Term
2. Determine how compatible uses can co-locate in designated Industrial Mixed-Use character areas to support industrial operations and create an active sense of place.	DPZ	Long-Term
3. Prioritize for retention industrial land that is uniquely accessible to regional highways for continued industrial use.	DPZ	Mid-Term
4. During the Zoning Regulations update or via Zoning Amendments, favorably consider context-sensitive industrial uses along the Interstate 70 corridor.	DPZ	Mid-Term
EP-2 - Ensure redevelopment is consistent with the character of industrial areas.		
1. Update the Route 1 Design Manual to include Industrial Mixed-Use character areas and incorporate buffers between redevelopment areas and industrial areas.	DPZ	Long-Term
EP-3 - Support and diversify the local job market to maximize opportunities to grow regional employment.		
1. Develop tools and strategies to support long-term job diversity initiatives, emerging industries, and job opportunities accessible to a variety of skill and educational levels.	HCEDA	Mid-Term
2. Promote green industries by creating incentives to attract new businesses demonstrating sustainable practices or developing sustainable technologies, materials, and products.	HCEDA	Mid-Term
3. Support new investment and job creation in emerging markets, especially those that reveal new opportunities for renewable energy and green technologies, including but not limited to solar arrays and canopies.	HCEDA	Long-Term

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
EP-4 - Create job opportunities through new mixed-use activity centers that serve as destinations and include a mix of uses that compliment and support one another and improve the jobs-housing balance.		
1. Revise the Zoning Regulations, Subdivision and Land Development Regulations, and other land use regulations and guidelines to ensure that mixed-use activity centers incorporate an array of housing types (possibly including goals for a specific percentage mix of housing types), walkable neighborhoods, open space, and compatible transitions between neighboring uses.	DPZ	Mid-Term
2. Allow sufficient densities in activity centers through the Zoning Regulations to make a wide range of uses economically viable. Encourage densities sufficient to support convenience retail and other local-serving amenities at the neighborhood level.	DPZ	Mid-Term
3. Plan for future transportation connections, including bicycle, pedestrian, and transit, among and between activity centers and other commercial centers.	DPZ OOT	Ongoing
4. Ensure that growth management tools consider the need for housing growth that keeps pace with employment growth in addition to infrastructure demands.	DPZ	Ongoing
5. Develop a master plan for Gateway that describes the area's desired future mix of uses, open space network, development phasing and intensity, building height range, and infrastructure approach. Build upon the general considerations included in the HoCo By Design Focus Areas technical appendix.	DPZ	Mid-Term
6. Create opportunities to house the County's essential workers, including teachers, healthcare workers, and public safety personnel.	DHCD DPZ Non-profit sector Private Partners	Ongoing