

**FINAL**

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 39

Bill No. 116-15

Introduced by Mr. Smith

By the County Council, December 7, 2015

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Introduced and first read on December 7, 2015  
Public Hearing set for and held on January 4, 2016  
Bill Expires March 11, 2016

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – BWI Mixed Use Overlay Area

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3 FOR the purpose of establishing a BWI Mixed Use Overlay Area; establishing the uses  
4 within the BWI Mixed Use Overlay Area; providing for bulk regulations; adopting  
5 the BWI Mixed Use Overlay Area Map; and generally related to zoning.

6  
7 BY adding: §§ 18-14-501 to 18-14-503 to be under the new subtitle “Subtitle 5. BWI  
8 Mixed Use Overlay”  
9 Anne Arundel County Code (2005, as amended)

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11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*  
12 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as  
13 follows:

14  
15 **ARTICLE 18. ZONING**

16  
17 **TITLE 14. OTHER OVERLAYS**

18  
19 **SUBTITLE 5. BWI MIXED USE OVERLAY**

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21 **18-14-501. BWI Mixed Use Overlay Area Map.** THIS SECTION APPLIES TO THOSE  
22 PROPERTIES WITHIN THE BWI MIXED USE OVERLAY AREA AS SHOWN ON THE OFFICIAL

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.

1 MAP ADOPTED BY THE COUNTY COUNCIL IN BILL NO. 116-15 ENTITLED THE BWI MIXED  
2 USE OVERLAY AREA.

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4 **18-14-502. Uses.** THE USES ALLOWED ON A PROPERTY IN THE BWI MIXED USE OVERLAY  
5 AREA ARE THE PERMITTED, CONDITIONAL, AND SPECIAL EXCEPTION USES ALLOWED IN  
6 THE UNDERLYING ZONING DISTRICT IN ACCORDANCE WITH THE REQUIREMENTS OF THE  
7 DISTRICT IN WHICH THE USE IS LOCATED. THE FOLLOWING ADDITIONAL USES ARE  
8 ALLOWED AS PERMITTED USES WITHIN THE BWI MIXED USE OVERLAY AREA:

- 9  
10 (1) ALCOHOLIC BEVERAGE USES AS ACCESSORY TO OTHER USES, AND SUBJECT  
11 TO THE PROVISIONS OF § 18-10-103;  
12  
13 (2) BANKS;  
14  
15 (3) DWELLINGS, MULTIFAMILY;  
16  
17 (4) DWELLINGS, TOWNHOUSES;  
18  
19 (5) HOTELS AND MOTELS;  
20  
21 (6) OFFICES, PROFESSIONAL AND GENERAL;  
22  
23 (7) PACKAGE GOODS STORES, SUBJECT TO THE PROVISIONS OF § 18-10-124;  
24  
25 (8) PHARMACIES;  
26  
27 (9) RESTAURANTS; AND  
28  
29 (10) RETAIL SPECIALTY STORES OR SHOPS FOR RETAIL SALES.  
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31 **18-14-503. Other Development Provisions.**

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33 (A) FOR MULTIFAMILY AND TOWNHOUSE DEVELOPMENTS IN THE BWI MIXED USE  
34 OVERLAY AREA, THE FOLLOWING BULK REGULATIONS SHALL APPLY:  
35

MAXIMUM COVERAGE BY STRUCTURES AND PARKING	75%
MINIMUM LOT SIZE	NONE
MAXIMUM NET DENSITY FOR TOWNHOUSE	15 DWELLING UNITS PER ACRE
MAXIMUM NET DENSITY FOR MULTIFAMILY DWELLINGS	22 DWELLING UNITS PER ACRE
MAXIMUM HEIGHT FOR A TOWNHOUSE PRINCIPAL STRUCTURE	40 FEET, OR UP TO 55 FEET IF ALL SETBACKS ARE INCREASED BY ONE FOOT FOR EACH FOOT OF HEIGHT IN EXCESS OF 40 FEET
MAXIMUM HEIGHT FOR A MULTIFAMILY PRINCIPAL STRUCTURE	45 FEET, OR UP TO 70 FEET IF ALL SETBACKS ARE INCREASED BY ONE FOOT FOR EACH TWO FEET OF HEIGHT IN EXCESS OF 45 FEET

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MAXIMUM HEIGHT FOR ACCESSORY STRUCTURES	20 FEET OR THE HEIGHT OF THE PRINCIPAL STRUCTURE, WHICHEVER IS LESS
MINIMUM SETBACKS FOR A TOWNHOUSE STRUCTURE	
FRONT LOT LINE	5 FEET, BUT IF PARKING IS LOCATED IN THE FRONT, 18 FEET
SIDE LOT LINE FOR END UNITS	5 FEET
REAR LOT LINE	10 FEET
DISTANCE BETWEEN TOWNHOUSE STRUCTURES	
FRONT TO FRONT BETWEEN STRUCTURE FACADES	40 FEET
BACK TO BACK BETWEEN STRUCTURE FACADES	40 FEET
ADJACENT END UNITS	15 FEET
MAXIMUM UNITS PER TOWNHOUSE STRUCTURE	16 UNITS IF BACK TO BACK; OTHERWISE, 8 UNITS
MINIMUM WIDTH OF INDIVIDUAL TOWNHOUSE UNIT	14 FEET
MINIMUM SETBACKS FOR A MULTIFAMILY PRINCIPAL STRUCTURE	
FRONT LOT LINE	20 FEET
SIDE LOT LINE	25 FEET
CORNER SIDE LOT LINE	30 FEET
REAR LOT LINE	30 FEET
MINIMUM DISTANCE BETWEEN MULTIFAMILY STRUCTURES LOCATED ON THE SAME LOT (CLOSEST PROJECTING EDGE)	
FACADES WITH WINDOWS	30 FEET, INCREASED BY 25% OF THE AMOUNT BY WHICH THE HEIGHT EXCEEDS 45 FEET
FACADES WITHOUT WINDOWS	25 FEET, INCREASED BY 25% OF THE AMOUNT BY WHICH THE HEIGHT EXCEEDS 45 FEET
MINIMUM SETBACKS FOR ACCESSORY STRUCTURES	
SIDE AND REAR LOT LINES	7 FEET
CORNER SIDE LOT LINE	15 FEET

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3  
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(B) FOR ALL OTHER USES IN THE BWI MIXED USE OVERLAY AREA, THE BULK REGULATIONS FOR THE UNDERLYING ZONING DISTRICT SHALL APPLY.

1 SECTION 2. *And be it further enacted*, That the official map entitled "BWI Mixed  
2 Use Overlay Area" attached hereto as Exhibit A is hereby adopted. A certified copy of  
3 the map shall be permanently kept on file in the Office of the Administrative Officer to  
4 the County Council and the Office of Planning and Zoning.  
5

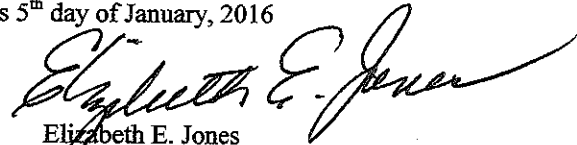
6 SECTION 3. *And be it further enacted*, that this Ordinance shall take effect 45 days  
7 from the date it becomes law.

READ AND PASSED this 4<sup>th</sup> day of January, 2016


By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for his approval this 5<sup>th</sup> day of January, 2016

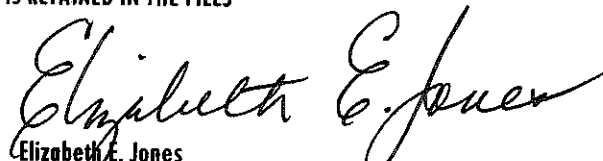
  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this 11<sup>th</sup> day of January, 2016

  
Steven R. Schuh  
County Executive

EFFECTIVE DATE: February 25, 2016

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
116-15. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer

# BWI Mixed Use Overlay Area

