

FINAL

AMENDED
February 2, 2015

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 1

Bill No. 2-15

Introduced by Mr. Pruski, Mr. Smith and Mr. Walker

By the County Council, January 5, 2015

Introduced and first read on January 5, 2015
Public Hearing set for and held on February 2, 2015
Public Hearing on AMENDED BILL set for and held on February 17, 2015
Bill Expires April 10, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Stormwater Management – Watershed Protection and
2 Restoration Program

3

4 FOR the purpose of ~~amending the definitions of “nonresidential property” and~~
5 ~~“residential property, tier two” for attached dwellings and detached single family~~
6 ~~dwellings zoned as nonresidential property but used solely as a primary residencee~~
7 adding a fee for certain residential properties in nonresidential zones; amending
8 certain appeal provisions; providing for the applicability of this Ordinance; and
9 generally relating to stormwater management and the Watershed Protection and
10 Restoration Program.

11

12 BY repealing and reenacting with amendments: §§ ~~13-7-101(11) and (14)~~ 13-7-103(d)
13 and 13-7-104(c)
14 Anne Arundel County Code (2005, as amended)

15

16 BY renumbering: §13-7-103(n) and (o) to be 13-7-103(o) and (p)
17 Anne Arundel County Code (2005, as amended)

18

19 BY adding: §13-7-103(n)
20 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment

1 (d) Multifamily residential and nonresidential properties fee. Except as provided
2 in subsections (e), (f), (g), (h), (i), (j), (k), (l), [and] (m), AND (N) the stormwater
3 remediation fee for a multifamily residential property or a nonresidential property shall
4 be determined in accordance with the following procedure:

5
6 (N) Residential properties in nonresidential zones – fee. FOR A PROPERTY
7 LOCATED IN A COMMERCIAL, INDUSTRIAL, MARITIME, MIXED USE, ODENTON GROWTH
8 MANAGEMENT AREA, OPEN SPACE, TOWN CENTER, OR SMALL BUSINESS ZONING
9 DISTRICT THAT IS IMPROVED SOLELY BY AN ATTACHED DWELLING OR A DETACHED
10 SINGLE FAMILY DWELLING, INCLUDING ACCESSORY STRUCTURES, WHICH IS USED
11 SOLELY AS THE PRIMARY RESIDENCE OF THE PROPERTY OWNER, THE STORMWATER
12 REMEDATION FEE SHALL BE THE LESSER OF THE FEE FOR RESIDENTIAL PROPERTY, TIER
13 TWO OR THE FEE CALCULATED IN ACCORDANCE WITH SUBSECTION (D).

14
15 **13-7-104. Appeals.**

16
17 (c) **Grounds for appeal.** Grounds for appeal of the stormwater remediation fee
18 include:

19
20 (1) incorrect classification of real property for purposes of determining the
21 stormwater remediation fee;

22
23 (2) a property in the category residential property, tier 1 having less impervious
24 surface than the median impervious surface of residential property, tier 2, for a charge at
25 the tier 2 level;

26
27 (3) a property in the category residential property, tier 2 having less impervious
28 surface than the median impervious surface of residential property, tier 3, for a charge at
29 the tier 3 level;

30
31 (4) for nonresidential or multifamily residential property, errors in the
32 calculation of the impervious surface of the property;

33
34 (5) mathematical errors in calculating the stormwater remediation fee;

35
36 (6) the real property is not subject to the stormwater remediation fee under § 13-
37 7-105;

38
39 (7) the property owner is exempt from the stormwater remediation fee under §
40 13-7-106;

41
42 (8) errors in the identification of the property owner of real property subject to
43 the stormwater remediation fee; [or]

44
45 (9) for nonresidential property owned by a Homeowners Association, errors in
46 the number of property tax accounts for the property owners within the boundaries of the
Homeowners Association[.]; OR

1 (10) A PROPERTY LOCATED IN A COMMERCIAL, INDUSTRIAL, MARITIME, MIXED
2 USE, ODENTON GROWTH MANAGEMENT AREA, OPEN SPACE, TOWN CENTER, OR SMALL
3 BUSINESS ZONING DISTRICT IMPROVED SOLELY BY AN ATTACHED DWELLING OR
4 DETACHED SINGLE FAMILY DWELLING, INCLUDING ACCESSORY STRUCTURES, AND IS
5 USED SOLELY AS THE PRIMARY RESIDENCE OF THE PROPERTY OWNER THAT IS NOT
6 CHARGED A STORMWATER REMEDIATION FEE FOR NONRESIDENTIAL PROPERTY THAT IS
7 THE LESSER OF THE FEE FOR RESIDENTIAL PROPERTY, TIER TWO OR THE FEE
8 CALCULATED IN ACCORDANCE WITH 13-7-103 (D).

9
10 SECTION 2. 3. *And be it further enacted,* That this Ordinance shall take effect 45
11 days from the date it becomes law.

AMENDMENT ADOPTED: February 2, 2015

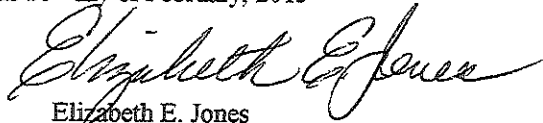
READ AND PASSED this 17th day of February, 2015

By Order:



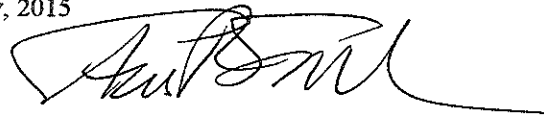
Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 18th day of February, 2015



Elizabeth E. Jones
Administrative Officer

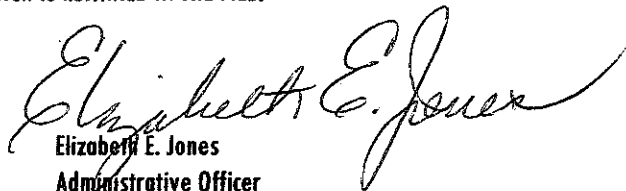
APPROVED AND ENACTED this 25 day of February, 2015



Steven R. Schuh
County Executive

EFFECTIVE DATE: April 11, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
2-15, THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer