

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 21

Bill No. 99-21

Introduced by Mr. Volke

By the County Council, November 1, 2021

Introduced and first read on November 1, 2021
Public Hearing set for and held on December 6, 2021
Bill AMENDED on December 20, 2021
Public Hearing on AMENDED bill set for and held on January 3, 2022
Public Hearing on SECOND AMENDED bill set for and held on January 18, 2022
Bill Expires on February 4, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Site Development –
2 Exemptions

3
4 FOR the purpose of exempting improvements to an existing ~~nonresidential~~ structure
5 outside the critical area or bog protection area from the site development plan process
6 under certain conditions; ~~repealing an exemption relating to certain grading permits;~~
7 and generally relating to subdivision and development.

8
9 BY repealing and reenacting, with amendments: § 17-4-101 (as amended by Bill No. 74-
10 21)
11 Anne Arundel County Code (2005, as amended)

12
13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
14 That Section(s) of the Anne Arundel County Code (2005, as amended) (and as amended
15 by Bill No. 74-21) read as follows:

16
17 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

18
19 **TITLE 4. SITE DEVELOPMENT**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

1 **17-4-101. Scope.**

2
3 This title applies to site development only and does not apply to:

4
5 (1) a tenant permit in a structure previously approved by the County;

6
7 (2) permits relating to a final infrastructure construction plan and lot clearing shown
8 on an approved final plan previously approved under this article;

9
10 (3) permits relating to improvements ~~[[that do not result in leasable space, a test for~~
11 ~~adequacy of public facilities, or, with the exception of property in]]~~ TO AN EXISTING
12 ~~NONRESIDENTIAL~~ STRUCTURE LOCATED OUTSIDE the critical area or A designated bog
13 PROTECTION area~~[[, an increase of impervious surface of no more than 1,000 square~~
14 ~~feet;]]~~ IF THE OFFICE OF PLANNING AND ZONING, AFTER CONSIDERING ANY COMMENTS
15 FROM REVIEWING AGENCIES, ~~DETERMINES~~ ISSUES AN ADMINISTRATIVE DECISION THAT
16 THE IMPROVEMENTS DO NOT RESULT IN:

17
18 (I) ADDITIONAL CUMULATIVE FLOOR AREA OF MORE THAN 1,000 SQUARE FEET;

19
20 (II) AN INCREASE OF IMPERVIOUS SURFACE OF MORE THAN 1,000 SQUARE FEET;

21
22 (III) A USE THAT WILL GENERATE FIVE OR MORE CUMULATIVE EQUIVALENT
23 DWELLING UNITS;

24
25 (IV) A LIMIT OF DISTURBANCE OF 5,000 SQUARE FEET OR MORE;

26
27 (V) MORE THAN 50 NEW DAILY VEHICLE TRIPS IN THE SCHEDULED
28 COMPLETION YEAR OF THE IMPROVEMENTS OR A REQUIREMENT FOR A TRAFFIC IMPACT
29 STUDY;

30
31 (VI) INSUFFICIENT WATER SUPPLY FOR PROVIDING ADEQUATE FIRE
32 SUPPRESSION;

33
34 (VII) A DEFICIENCY IN THE PARKING REQUIREMENTS CONTAINED IN ARTICLE
35 18 OF THIS CODE OR AN INABILITY TO PROVIDE ADEQUATE ONSITE STACKING CAPACITY;

36
37 (VIII) THE NEED FOR A VARIANCE TO THE APPLICABLE BULK REGULATIONS
38 CONTAINED IN ARTICLE 18 OF THIS CODE;

39
40 (IX) INADEQUATE LAND AREA TO MEET LANDSCAPE REQUIREMENTS; OR

41
42 (X) IMPACTS TO CULTURAL RESOURCES OR SCENIC ~~OR SCENIC~~ OR HISTORIC
43 ROADS;

44
45 ~~[[4) at the discretion of the Planning and Zoning Officer, a grading permit that~~
46 ~~contains or is accompanied by all information required by this article;]]~~

47
48 (4) at the discretion of the ~~[[Planning and Zoning Officer]]~~ DEPARTMENT OF
49 INSPECTIONS AND PERMITS, a grading permit FOR A SINGLE RESIDENTIAL LOT
50 DEVELOPMENT that contains or is accompanied by all information required by this article;

51
52 ~~[[5]]~~ (4) an agricultural building that does not require a permit under § 105.2.1.14
53 of the construction code;

1 ~~[(6)]~~ (5) accessory uses to farming, such as farm stores or stands that sell farm
2 products or value-added farm products directly to consumers, that:

3
4 (i) do not exceed a cumulative 1,200 square feet of floor area; and

5
6 (ii) have a proposed cumulative limit of disturbance of less than 5,000 square
7 feet; or


8
9 ~~[(7)]~~ (6) a temporary use authorized under § 18-2-203 of this Code.

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


AMENDMENTS ADOPTED: December 20, 2021 and January 3, 2022

READ AND PASSED this 18th day of January, 2022

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of January, 2022


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 26th day of January, 2022


Steuart Pittman
County Executive

EFFECTIVE DATE: March 12, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 99-21 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Laura Corby
Administrative Officer