

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 20

Bill No. 93-21

Introduced by Ms. Lacey

By the County Council, October 18, 2021

Introduced and first read on October 18, 2021
Public Hearing set for and held on November 15, 2021
Bill Expires January 21, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Adequate School
2 Facilities – Residential Development in Transit-Oriented Overlay Development Policy
3 Areas

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5 FOR the purpose of exempting residential development located in transit-oriented overlay
6 development policy areas from the adequate school facilities test under certain
7 conditions; adding the conditions for the exemption from the test for adequate school
8 facilities; and generally relating to subdivision and development.

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10 BY repealing and reenacting, with amendments: § 17-5-201(b)
11 Anne Arundel County Code (2005, as amended)

12
13 BY adding: § 17-5-207(g)
14 Anne Arundel County Code (2005, as amended)

15
16 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
17 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 17. SUBDIVISION AND DEVELOPMENT

TITLE 5. ADEQUATE PUBLIC FACILITIES

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23 **17-5-201. Requirement to pass adequacy of public facilities tests; exemptions.**

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.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

(b) **General requirement.** The Planning and Zoning Officer may not give final approval to a proposed record plat, recommend approval of an application for a building or grading permit in connection with a preliminary plan or site development plan, or approve a site development plan for development that does not require a permit unless the development passes the tests for adequate public facilities set forth in this title if required by the chart in this section.

The chart uses the following key: S = subject to the test and E = exempted from the test.

Development Type	Fire Suppression	Roads	Schools	Sewage Disposal	Storm Drain	Water Supply

Residential:						
Redevelopment in the Glen Burnie Sustainable Community Overlay Area under Subtitle 3 of Title 7	S	E ⁸	E ⁷	S	S	S
RESIDENTIAL DEVELOPMENT IN TRANSIT-ORIENTED OVERLAY DEVELOPMENT POLICY AREAS	S	S	E ⁹	S	S	S

⁷ But subject to the conditions listed in § 17-5-207(e).

⁸ But subject to the conditions listed in § 17-5-401(c).

⁹ BUT SUBJECT TO THE CONDITIONS LISTED IN § 17-5-207(G).

17-5-207. Exemptions.

(G) **Exemptions for residential development in transit-oriented overlay development policy areas.** RESIDENTIAL DEVELOPMENT IN TRANSIT-ORIENTED OVERLAY DEVELOPMENT POLICY AREAS, AS IDENTIFIED IN THE GENERAL DEVELOPMENT PLAN, IS EXEMPT FROM THE ADEQUATE SCHOOL FACILITIES TEST IF THE FOLLOWING CONDITIONS ARE MET:

(1) THE DEVELOPMENT IS LOCATED IN A CRITICAL ECONOMIC DEVELOPMENT POLICY AREA, AS IDENTIFIED IN THE GENERAL DEVELOPMENT PLAN;

(2) THE DEVELOPMENT IS LOCATED WITHIN ONE MILE FROM AN AMTRAK RAIL STATION OR MARC COMMUTER RAIL STATION;

1 (3) ALL DWELLING UNITS IN THE DEVELOPMENT HAVE FEWER THAN TWO
2 BEDROOMS;


3
4 (4) THE DEVELOPMENT INCLUDES ENHANCEMENTS FOR PEDESTRIAN AND
5 BICYCLE ACCESS TO THE RAIL STATION; AND

6
7 (5) THE PROVISIONS OF THIS SUBSECTION ARE NOT VARIED, MODIFIED, OR
8 REDUCED.

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

READ AND PASSED this 15th day of November, 2021

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of November, 2021


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 22nd day of November, 2021


Steuart Pittman
County Executive

EFFECTIVE DATE: January 6, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 93-21 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Laura Corby
Administrative Officer