

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 33

Bill No. 58-16

Introduced by Mr. Fink, Chairman
(by request of the County Executive)

By the County Council, July 18, 2016

Introduced and first read on July 18, 2016
Public Hearing set for and held on September 6, 2016
Bill Expires October 21, 2016

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – BRAC Mixed Use Development

2

3 FOR the purpose of amending the definition of “BRAC Mixed Use Development” to
4 remove certain limits; amending the conditional use requirements for BRAC Mixed
5 Use Development to include specific requirements for location, size, building height
6 and coverage, setbacks and density; and generally relating to zoning.

7

8 BY repealing and reenacting, with amendments: §§ 18-1-101(19) (as amended by Bill
9 No. 21-16); and 18-10-106A
10 Anne Arundel County Code (2005, as amended)

11

12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
13 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) (as
14 amended by Bill No. 21-16) read as follows:

15

16 **ARTICLE 18. ZONING**

17

18 **TITLE 1. DEFINITIONS**

19

20 **18-1-101. Definitions.**

21

22 Unless defined in this article, the Natural Resources Article of the State Code, or
23 COMAR, words defined elsewhere in this Code apply in this article. The following
24 words have the meanings indicated:

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

1
2 (19) "BRAC Mixed Use Development" means parcels located in a C4, W1 and/or
3 CERTAIN MXD zoning [district] DISTRICTS which were changed to a mixed use
4 classification in the 2009 Land Use Plan adopted as a part of the 2009 General
5 Development Plan adopted by Bill No. 64-09 [and which comprise not less than 25 acres
6 in the aggregate]. The uses permitted in a BRAC Mixed Use Development and the
7 restrictions thereon are set forth in § 18-10-106A of this article.
8

9 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

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11 **18-10-106A. BRAC Mixed Use Development.**

12
13 (A) **Requirements.** BRAC MIXED USE DEVELOPMENT SHALL COMPLY WITH THE
14 FOLLOWING REQUIREMENTS.
15

16 (1) THE PROPERTY MUST BE LOCATED IN A C4, W1 AND/OR CERTAIN MXD ZONING
17 DISTRICTS WHICH WERE CHANGED TO A MIXED USE CLASSIFICATION IN THE 2009 LAND
18 USE PLAN ADOPTED AS A PART OF THE 2009 GENERAL DEVELOPMENT PLAN ADOPTED BY
19 BILL NO. 64-09.
20

21 (2) THE MINIMUM PARCEL SIZE IS 25 ACRES IN THE AGGREGATE.
22

23 (3) BUILDING HEIGHT AND COVERAGE IN A BRAC MIXED USE DEVELOPMENT
24 SHALL BE AS PROVIDED IN THE UNDERLYING ZONING DISTRICT, AND SETBACKS FOR
25 PRINCIPAL STRUCTURES SHALL BE THE LESSER OF THE SETBACK PROVIDED IN THE BULK
26 REGULATIONS APPLICABLE TO THE UNDERLYING ZONING DISTRICT OR THE BULK
27 REGULATIONS SET FORTH IN § 18-4-901. R-15 DENSITY SHALL BE THE NUMBER OF
28 DWELLING UNITS FOR EACH ACRE OF GROSS DENSITY.
29

30 (B) **Uses.** The following uses are allowed in a BRAC Mixed Use Development, in
31 addition to the uses allowed in the underlying zoning district:
32

33 (1) All R-15 uses, including all variations of dwellings defined in § 18-1-
34 101[(35)], subject to the bulk regulations set forth in § 18-4-901 EXCEPT FOR BUILDING
35 HEIGHT, COVERAGE, DENSITY, AND SETBACKS;
36

37 (2) Grocery stores greater than 25,000 square feet in size, subject to the bulk
38 regulations set forth in § 18-5-401 EXCEPT FOR BUILDING HEIGHT, COVERAGE AND
39 SETBACKS; and
40

41 (3) Retail specialty stores or shops for retail sales, as defined in § 18-5-102,
42 subject to the bulk regulations set forth in § 18-5-401 EXCEPT FOR BUILDING HEIGHT
43 AND SETBACKS.
44

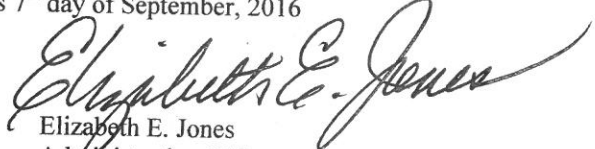
45 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
46 from the date it becomes law.

READ AND PASSED this 6th day of September, 2016


By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 7th day of September, 2016



Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 9th day of September, 2016


Steven R. Schuh
County Executive

EFFECTIVE DATE: October 24, 2016

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
58-16 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer