

**FINAL**

AMENDED  
March 6 and 20, 2017

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 3

Bill No. 10-17

Introduced by Mr. Grasso, Chairman  
(by request of the County Executive)  
and by Mr. Smith

By the County Council, February 6, 2017

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Introduced and first read on February 6, 2017  
Public Hearing set for and held on March 6, 2017  
Public Hearing on AMENDED BILL set for and held on March 20, 2017  
Public Hearing on SECOND AMENDED BILL set for and held on April 3, 2017  
Bill Expires May 12, 2017

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Commercial Revitalization Areas – Qualified Property –  
2 Real Property Tax Credit – Uses  
3

4 FOR the purpose of amending the provisions of the “commercial revitalization district  
5 program” and changing the name to “commercial revitalization area program”;  
6 repealing certain Revitalization District maps and adopting new Commercial  
7 Revitalization Area maps; providing for the applicability and availability of the  
8 commercial revitalization area real property tax credit; removing certain requirements  
9 for self-service storage facilities in a commercial revitalization area; modifying the  
10 uses permitted for a property in a commercial revitalization area zoned C-3;  
11 modifying the residential use provisions; and generally relating to the commercial  
12 revitalization area program and the commercial revitalization real property tax credit.  
13

14 BY repealing and reenacting, with amendments: §§ 4-2-306; 17-5-401(a); 18-14-301; 18-  
15 14-302(a); and 18-14-303  
16 Anne Arundel County Code (2005, as amended)  
17

18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*

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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 *Maryland*, That Section(s) of the Anne Arundel County Code (2005, as amended) read as  
2 follows:

3  
4 **ARTICLE 4. FINANCE, TAXATION, AND BUDGET**

5  
6 **TITLE 2. REAL PROPERTY TAXES**

7  
8 **4-2-306. Commercial revitalization area program.**

9  
10 (a) **Definitions.** In this section, the following words have the meanings indicated:

11  
12 (1) "Commercial revitalization [district] AREA" means an area designated on a  
13 map adopted by ordinance of the County Council that is eligible to have qualified  
14 properties in the [district] AREA receive revitalization credits.

15  
16 (2) "Qualified improvements" means physical improvements that are made to a  
17 qualified property, including new construction or improvements made after demolition of  
18 pre-existing improvements; are constructed in accordance with a building permit issued  
19 by the County; and have a full cash value of at least \$100,000 in the year the  
20 improvements are substantially completed, as reflected in the records of the State  
21 Department of Assessments and Taxation.

22  
23 (3) "Qualified property" means a property located {totally or partially} within a  
24 commercial revitalization [district that is a mobile home park, a commercially or  
25 industrially zoned property used for commercial purposes or a residential development  
26 consisting of ten or more units] AREA, but the term does not include:

27  
28 (i) property that is used primarily for a public utility company; or

29  
30 (ii) property located in a tax increment development district other than  
31 property located in the Odenton Town Center Development District[.] ;OR

32  
33 (III) PROPERTY THAT QUALIFIES FOR THE REAL PROPERTY TAX CREDIT FOR  
34 ENTERPRISE ZONES UNDER THE TAX-PROPERTY ARTICLE, § 9-103, OF THE STATE CODE.

35  
36 (4) "Revitalization credit" means the tax attributable to the incremental increase  
37 in the real property tax assessment of property that is solely the result of the completion  
38 of qualified improvements.

39  
40 (b) **Eligibility.** A qualified property is eligible to receive a revitalization credit each  
41 year for a period of five years against the taxpayer's real property tax if:

42  
43 (1) the revitalization credit is not combined with other tax credits, payments in  
44 lieu of taxes, allowances, or payment alternatives that may be applicable to the qualified  
45 improvements;

46  
47 (2) the value of the qualified improvements to which the revitalization credit  
48 applies does not exceed the full cash value of the improvements, as determined in the  
49 year in which they are substantially completed;

1 (3) the calculation of the revitalization credit does not exceed the property tax  
2 increase attributable to the increase in the assessment of the real property over the  
3 assessment before the real property is rehabilitated;

4  
5 (4) the Office of Planning and Zoning certifies that the property is a qualified  
6 property and located within a commercial revitalization [district] AREA; and  
7

8 (5) the taxpayer applies for the credit within 120 days after the issuance of the  
9 notice of assessment by the State Department of Assessments and Taxation.  
10

11 (c) **Extended eligibility.** A qualified property that meets the requirements of  
12 subsection (b) is eligible to receive a revitalization credit each year against the taxpayer's  
13 real property tax for an additional five years if the project is funded by at least  
14 \$10,000,000 of private funds.  
15

16 (d) **Effective date.** The revitalization credit shall be effective for the taxable year  
17 following the issuance of the notice of assessment by the State Department of  
18 Assessments and Taxation for the qualified improvements.  
19

20 (e) **Form of application.** An application for a revitalization credit shall be made to  
21 the Controller on a form provided by the Controller; demonstrate that the qualified  
22 improvements meet the requirements of this section; and include any additional  
23 information the Controller believes to be necessary to determine if the taxpayer is eligible  
24 to receive the credit.  
25

26 (f) **Grant.** The Controller shall grant the credit if the application meets the  
27 requirements of this section and the taxpayer is current on all taxes owed to the County.  
28

29 (G) **Applicability.** ANY SUBDIVISION OR DEVELOPMENT ON A PROPERTY THAT WAS A  
30 QUALIFIED PROPERTY ON OR BEFORE THE EFFECTIVE DATE OF BILL NO. 10-17 SHALL BE  
31 SUBJECT TO THE LAW RELATED TO THE TAX CREDIT AS IT EXISTED BEFORE THE  
32 EFFECTIVE DATE OF BILL NO. 10-17 IF, ON OR BEFORE THE EFFECTIVE DATE OF BILL NO.  
33 10-17, A FINAL PLAN OR SITE DEVELOPMENT PLAN APPLICATION HAS BEEN FILED WITH  
34 THE OFFICE OF PLANNING AND ZONING.  
35

## 36 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

### 37 **TITLE 5. ADEQUATE PUBLIC FACILITIES**

#### 38 **17-5-401. Standards.**

39  
40 (a) **Generally.** Except as provided in subsection (b) and in § 17-6-504(9), a  
41 development passes the test for adequate road facilities if in the scheduled completion  
42 year of the development it creates 50 or fewer daily trips or if:  
43  
44

45  
46 (1) the road facilities in the impact area of the proposed development will  
47 operate at or above the minimum of 'D' level of service after including the traffic  
48 generated by the development; and

1 (2) road facilities in the impact area of the proposed development will have an  
2 adequacy rating of not less than 70 as defined by the Anne Arundel County road rating  
3 program or, if not rated by the Anne Arundel County road rating program, have been  
4 found by the County to be adequate with respect to road capacity, alignment, sight  
5 distance, structural condition, design, and lane width, except that the requirements of this  
6 subsection (a)(2) do not apply to development in a commercial revitalization [district]  
7 AREA, to scenic or historic roads in the impact area of the proposed development, or to  
8 roads other than those that front on the cluster lots in a cluster development in an RA or  
9 RLD District; or

10  
11 (3) the developer has an approved mitigation plan under §§ 17-5-901 et seq.

12  
13 **ARTICLE 18. ZONING**

14  
15 **TITLE 14. OTHER OVERLAYS**

16  
17 **18-14-301. Scope.**

18  
19 [(a)**Revitalization maps.**] This subtitle applies to commercial revitalization areas as  
20 shown on a map adopted by the County Council[, except that this subtitle does not apply  
21 to the commercial revitalization area shown on the map as Area H.

22  
23 (b) **Particular properties.** This subtitle applies to a particular property within a  
24 commercial revitalization area only if the property has:

25  
26 (1) at least one vacant structure or a structure that is akin to vacant even if leased  
27 on a temporary basis; and

28  
29 (2) at least one structure that contained a commercial use for at least five years].

30  
31 **18-14-302. General provisions.**

32  
33 (a) [A property that qualifies to use the provisions of this subtitle may utilize existing  
34 structures or new structures, except that a self-service storage facility shall be located in  
35 an existing structure and the structure may not be expanded to provide additional storage  
36 units.] A PROPERTY LOCATED IN A commercial revitalization [property] AREA may  
37 contain a single use or be a business complex or a subdivision.

38  
39 **18-14-303. Uses.**

40  
41 (a) **In a C4 District.** The uses allowed for a PROPERTY LOCATED IN A commercial  
42 revitalization [property] AREA with underlying zoning of C4 are the permitted,  
43 conditional, and special exception uses set forth in § 18-5-102 for C3 and C4 Districts.

44  
45 (b) **In a C3 District.** The uses allowed for a PROPERTY LOCATED IN A commercial  
46 revitalization [property] AREA with underlying zoning of C3 are the permitted,  
47 conditional, and special exception uses set forth in § 18-5-102 for a C3 District, except  
48 that outside storage accessory to other uses shall be limited to 10% of the square footage

1 of the structure to which it relates and the following additional uses are allowed as  
2 permitted uses:

3  
4 (1) animal hospitals and veterinary clinics;

5  
6 (2) BREWERY, CRAFT;

7  
8 [(2)] (3) carpet cleaning establishments;

9  
10 [(3)] (4) linen supply establishments;

11  
12 [(4)] multifamily dwellings;

13  
14 (5) self-service storage facilities if:

15  
16 (i) the facility does not exceed 45 feet in height;

17  
18 (ii) accessory structures are connected to existing structures;

19  
20 (iii) access to individual units is provided only through the interior of the  
21 facility;

22  
23 (iv) entrances or overhead loading doors are not visible from a road or  
24 adjoining property at ground level, exclusive of access driveways or gates; and

25  
26 (v) there is no outside storage;]

27  
28 [(6)] (5) sign shops, including painting and fabrication;

29  
30 [(7)] (6) swimming pool and spa sales, with outdoor display;

31  
32 [(8)] (7) taxidermists; and

33  
34 [(9)] (8) vending businesses.

35  
36 (c) **Residential use provisions.** [For residential development of a commercial  
37 revitalization property] MULTIFAMILY AND TOWNHOUSE DWELLING UNITS ARE  
38 ALLOWED ON A PROPERTY IN A COMMERCIAL REVITALIZATION AREA IN ANY  
39 UNDERLYING ZONING DISTRICT AS FOLLOWS:

40  
41 (1) [density] DENSITY may not exceed 22 dwelling units for each acre of net  
42 area[;].

43  
44 (2) [the] THE number of dwelling units allowed shall be applied in the aggregate,  
45 rather than separately to individual lots[;].

46  
47 (3) [an] AN area equal to 10% of the floor area of the residential structures shall be  
48 set aside for use by the residents of the development as an outdoor recreational area, such

1 as a pocket park, plaza, or courtyard that may include amenities such as benches,  
2 gazebos, and shade trees; an indoor recreational facility, such as a community room,  
3 gymnasium, or swimming pool; or a combination of an outdoor recreational area and  
4 indoor recreational facility[.]; and the provisions of [§§ 17-6-111 and 17-7-701] § 17-6-111  
5 do not apply[;].  
6

7 (4) [at least 25% of the floor area of the residential structures shall consist of  
8 commercial uses when residential and commercial uses are contained in the same  
9 structure;

10  
11 (5) at] AT least 25% of the land area shall consist of commercial uses, including  
12 structures, parking, access, and open areas used for stormwater management and  
13 landscaping, when residential and commercial uses are contained in separate structures[;].  
14

15 [(6) the] (5) THE height of a multifamily dwelling may not exceed 75 feet[; and].  
16

17 [(7) dwelling] (5) (6) DWELLING units shall be located at least 25 feet from an  
18 existing commercial telecommunication facility.  
19

20 SECTION 2. *And be it further enacted*, that the maps of Commercial Revitalization  
21 Areas, as amended, attached hereto as Exhibits + 1-A, 2-A, and 3-A through 8, are hereby  
22 approved and adopted by the Anne Arundel County Council.  
23

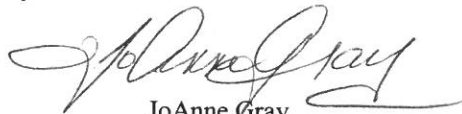
24 SECTION 3. *And be it further enacted*, That all references in this Ordinance to “the  
25 effective date of Bill No. 10-17”, or words to that effect, shall, upon codification, be  
26 replaced with the actual date on which this Ordinance takes effect under Section 307 of  
27 the County Charter as certified by the Administrative Officer to the Country Council.  
28

29 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days  
30 from the date it becomes law.

AMENDMENTS ADOPTED: March 6 and 20, 2017

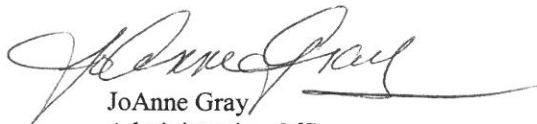
READ AND PASSED this 3<sup>rd</sup> day of April, 2017

By Order:



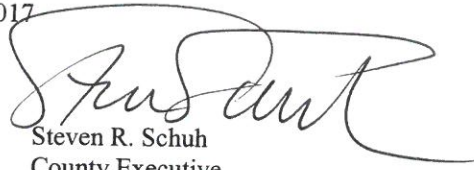
JoAnne Gray  
Administrative Officer

PRESENTED to the County Executive for his approval this 4<sup>th</sup> day of April, 2017



JoAnne Gray  
Administrative Officer

APPROVED AND ENACTED this 10<sup>th</sup> day of April, 2017



Steven R. Schuh  
County Executive

EFFECTIVE DATE: May 25, 2017

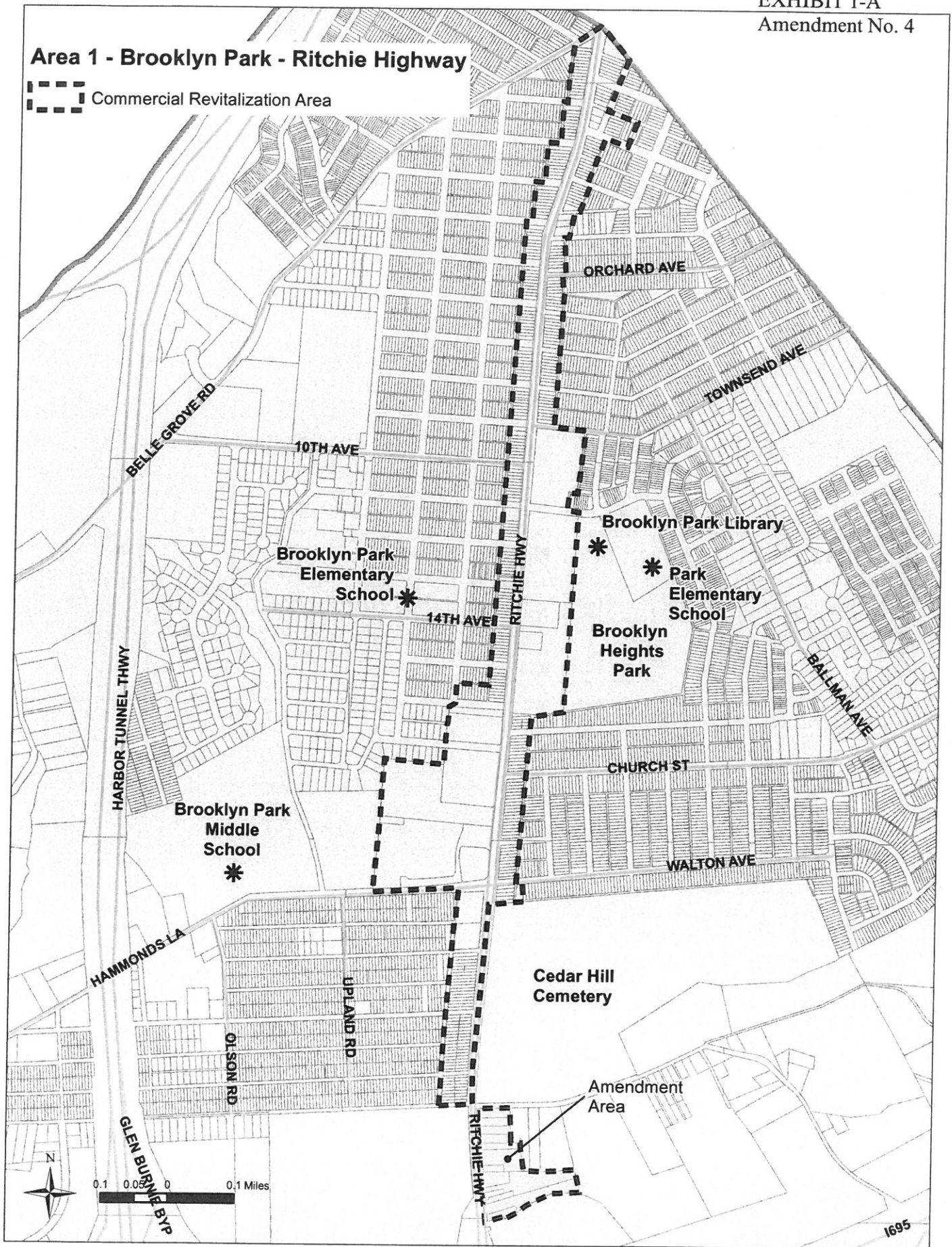
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
10-17. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



JoAnne Gray  
Administrative Officer

### Area 1 - Brooklyn Park - Ritchie Highway

 Commercial Revitalization Area

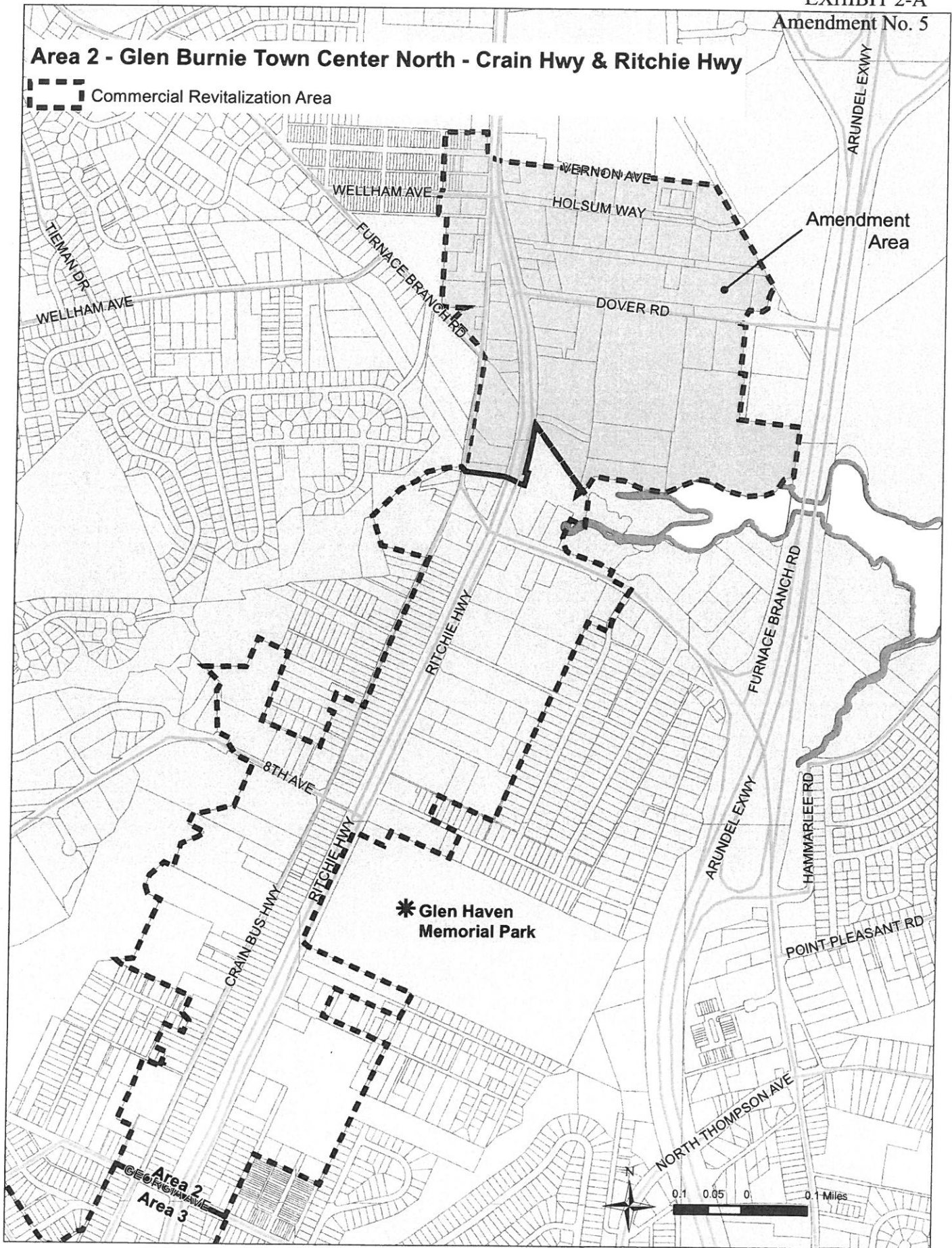




### Area 2 - Glen Burnie Town Center North - Crain Hwy & Ritchie Hwy

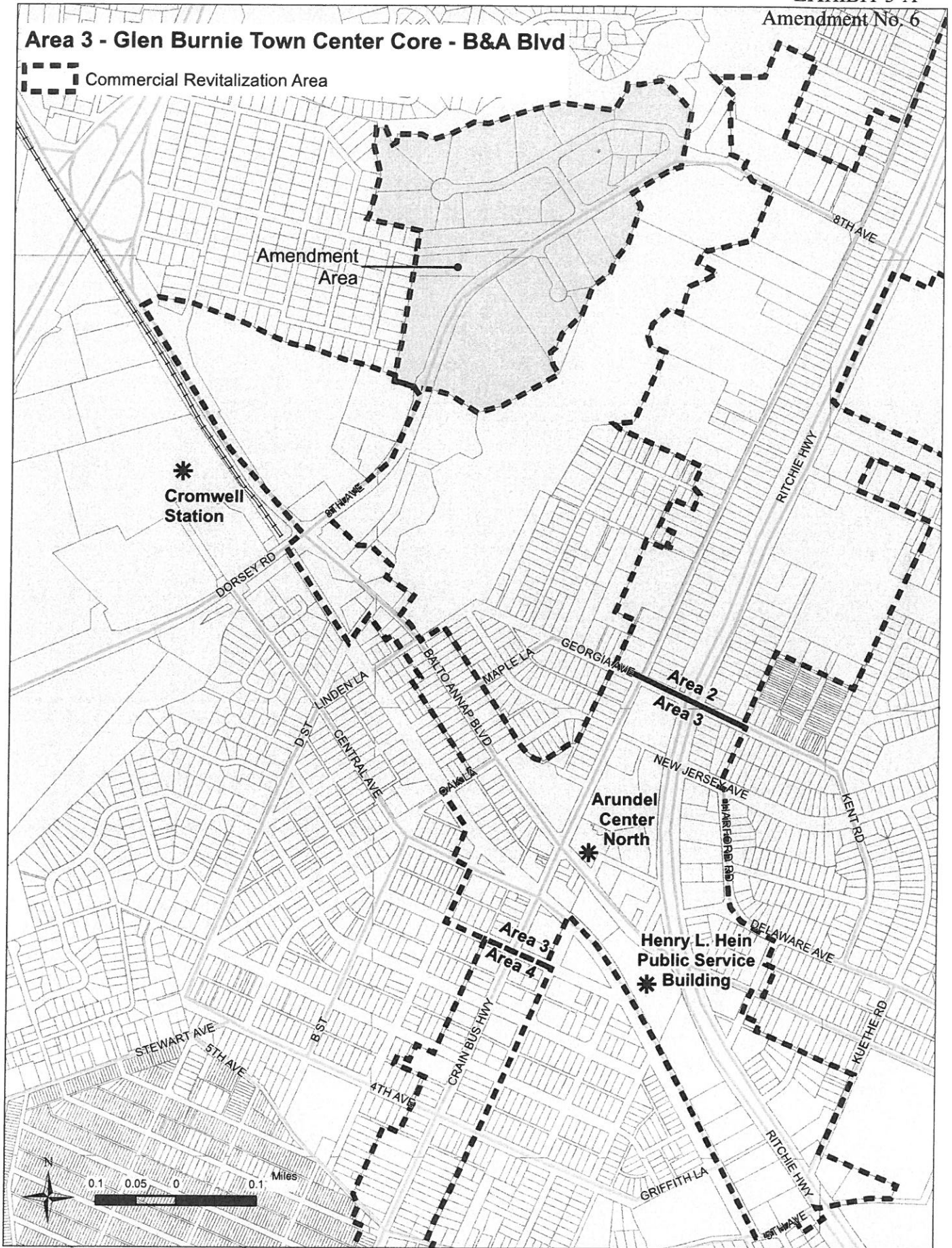
 Commercial Revitalization Area

Amendment Area



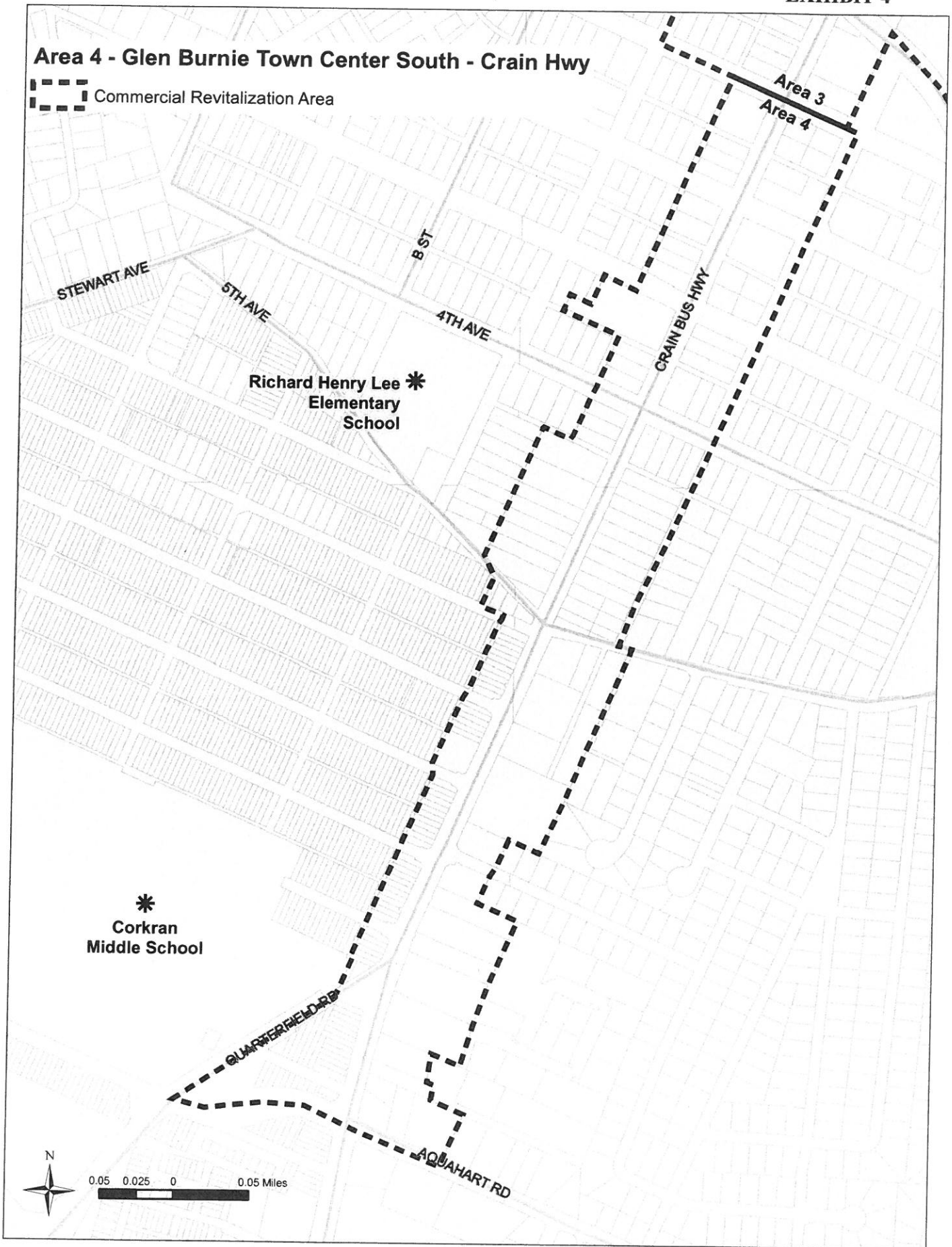
**Area 3 - Glen Burnie Town Center Core - B&A Blvd**

 Commercial Revitalization Area



**Area 4 - Glen Burnie Town Center South - Crain Hwy**

 Commercial Revitalization Area



Area 3  
Area 4

Richard Henry Lee \*  
Elementary  
School

\*  
Corkran  
Middle School



0.05 0.025 0 0.05 Miles

Area 5 - Pasadena - Mountain Road

 Commercial Revitalization Area

\* George Fox Middle School

MOUNTAIN RD

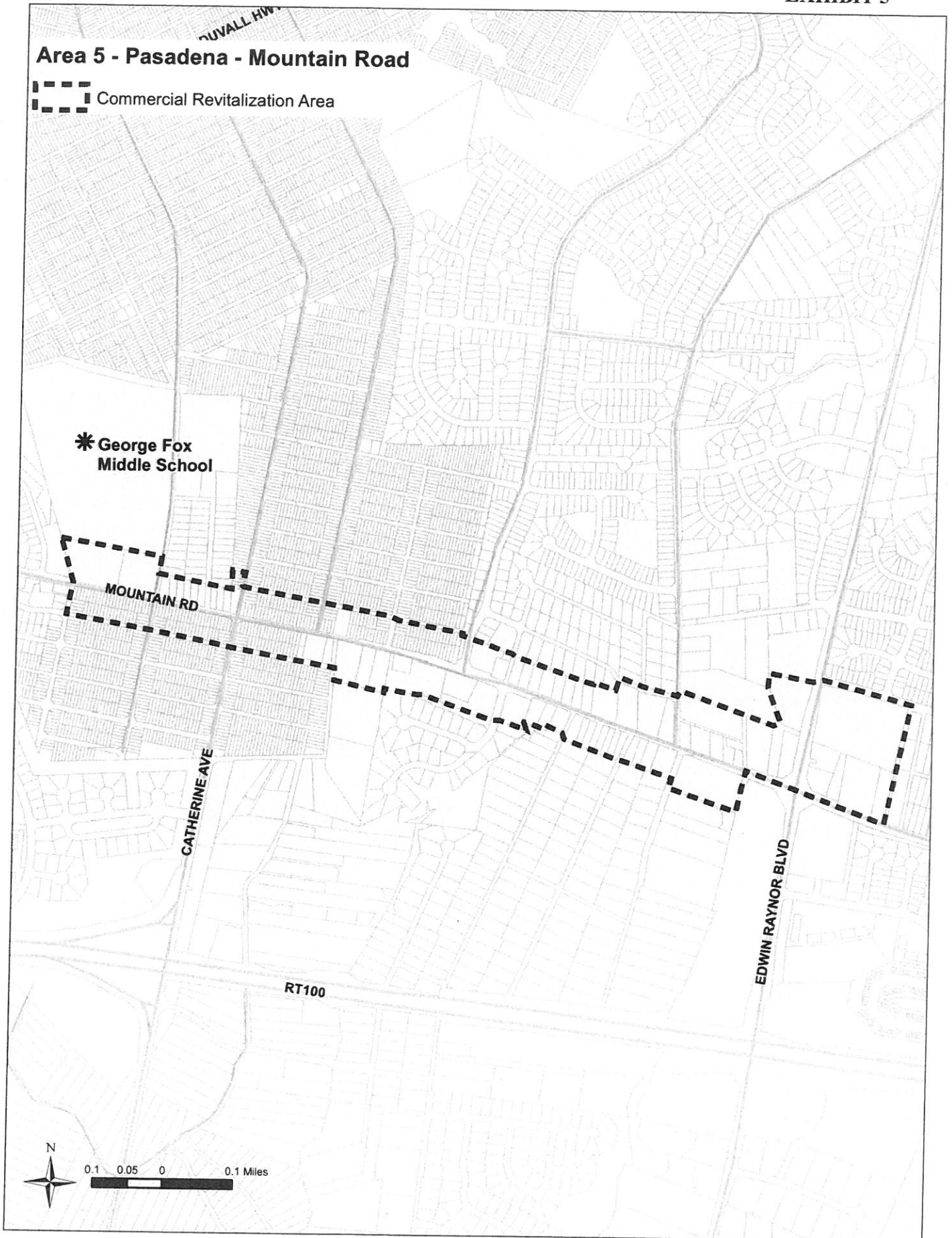
CATHERINE AVE

RT100

EDWIN RAYNOR BLVD

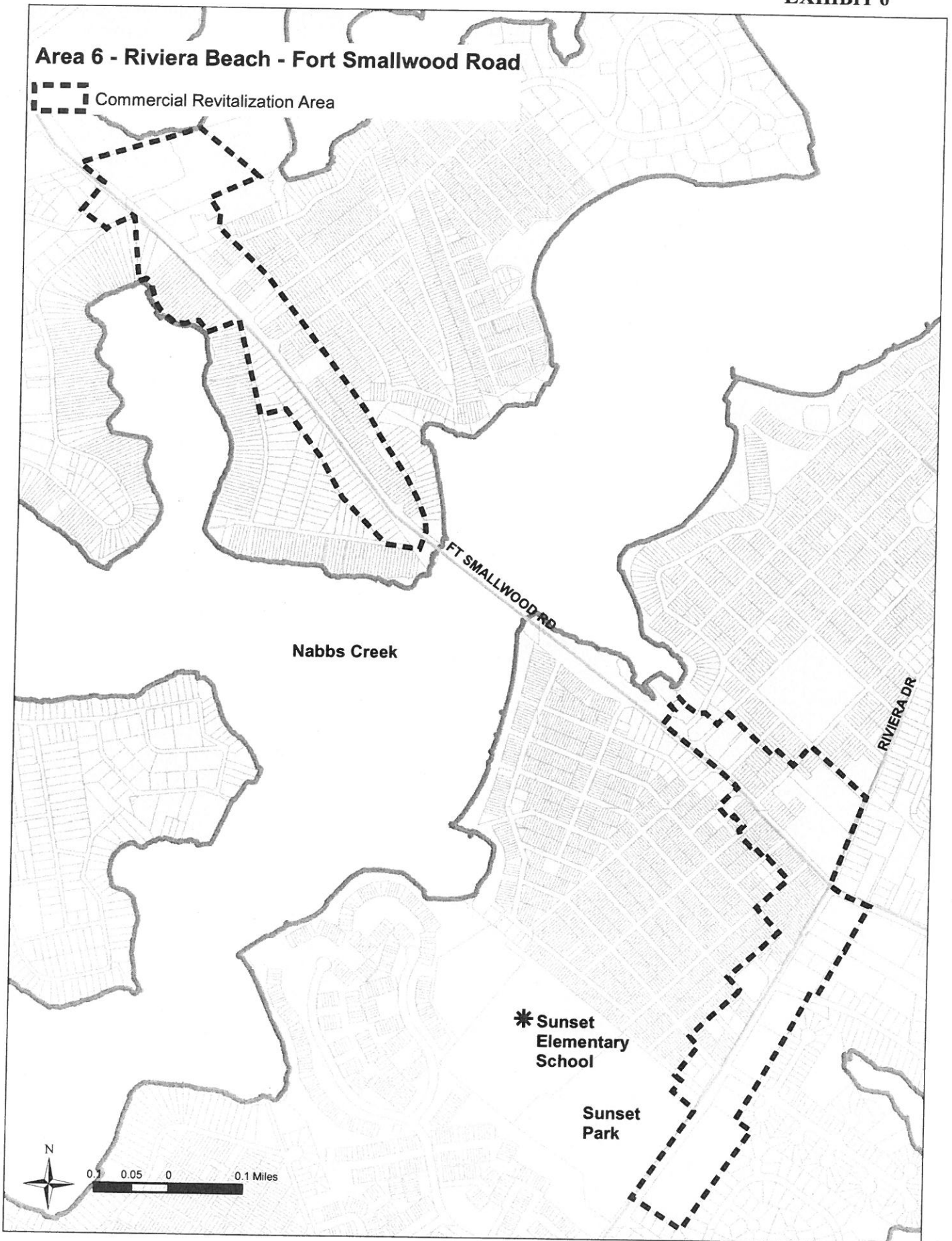


0.1 0.05 0 0.1 Miles



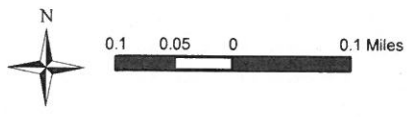
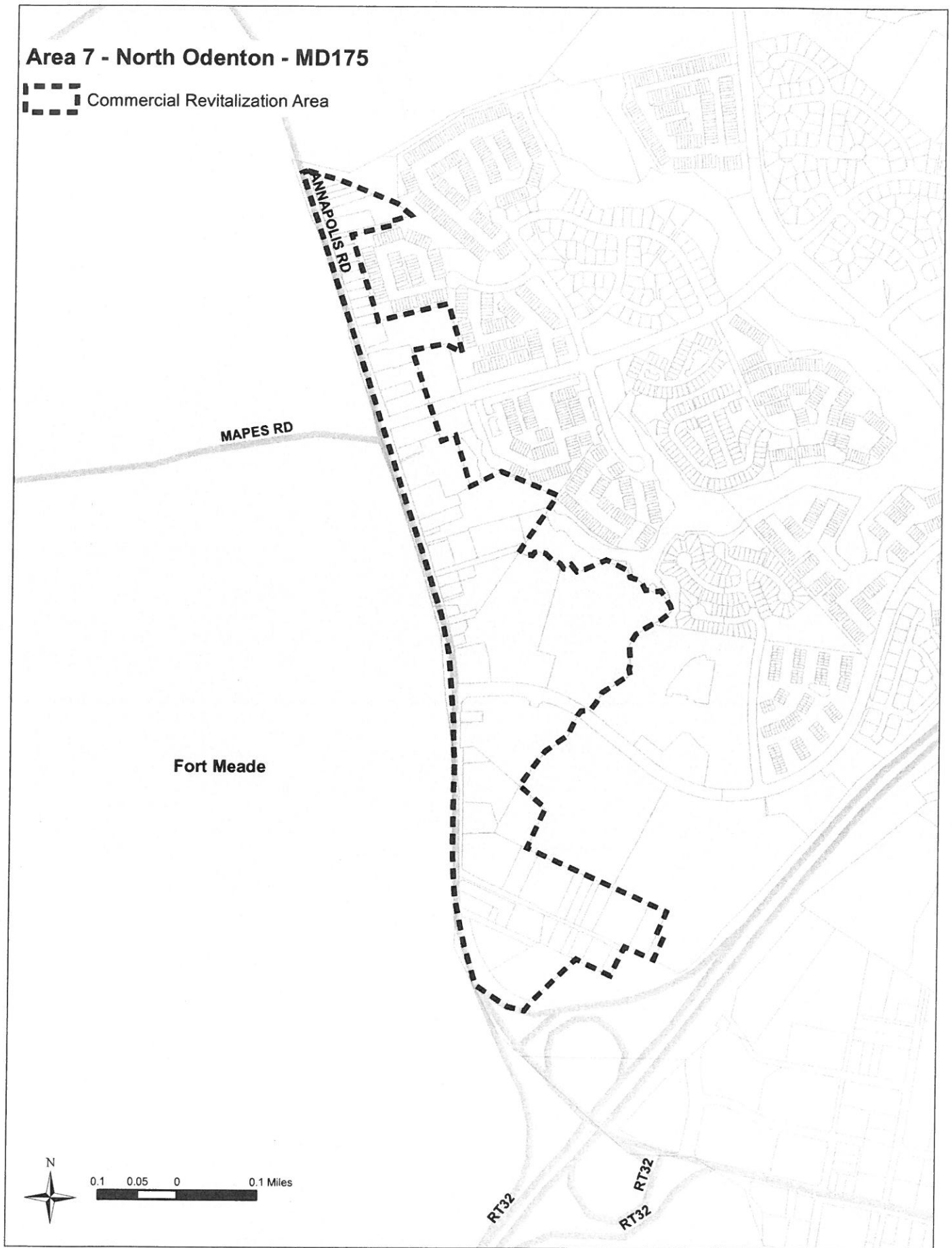
**Area 6 - Riviera Beach - Fort Smallwood Road**

 Commercial Revitalization Area



Area 7 - North Odenton - MD175

 Commercial Revitalization Area



Area 8 - Maryland City/Russett - MD198

 Commercial Revitalization Area

