

COUNTY COUNCIL OF
 ANNE
ARUNDEL
COUNTY
M A R Y L A N D

LEGISLATIVE SUMMARY*

To: All Councilmembers of the Anne Arundel County Council
From: Linda M. Schuett, Legislative Counsel
Date: June 7, 2021
Subject: Bill No. 62-21

Title 8 of Article 17 of the Anne Arundel County Code sets forth provisions relating to development in the Critical Area. Section 17-8-901 requires a developer, under certain circumstances, to enter into a forest conservation easement for plantings required by law in connection with development. There is no authority in the Code for the County to convey the easement back to the owner of the property if the development will not occur because, for example, the developer is unable to obtain financing.

Bill No. 62-21 fills the gap. It requires the County, upon a written request from the property owner, to promptly convey a forest conservation easement back to the owner when the circumstances establish that all plans and permits related to the development have expired, been terminated, or are otherwise null and void. The Bill applies to all forest conservation easements entered into after the effective date of the Bill and to all forest conservation easements entered into before the effective date of the Bill so long as the owner makes the written request after the effective date of the Bill.

This Bill is subject to the approval of the Maryland Critical Area Commission. As a result, the Bill takes effect 45 days from the date it becomes law or upon approval of the Commission, whichever is later.

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.