



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

From: Gregory J. Swain, County Attorney /s/

Date: June 21, 2021

Subject: Bill No. 63-21, Zoning – Critical Area Overlay

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 63-21, a Bill that updates the County's Critical Area maps.

Purpose.

The purpose of the Bill is adopt the new Critical Area maps prepared and approved by the Maryland Critical Area Commission.

Background.

The original Critical Area maps for Anne Arundel County were adopted as part of the County's critical area program that was mandated by State law in 1984 and adopted by the County Council in 1988. These maps have not been previously updated.

As a consequence of adopting new maps, and through the use of new technology that greatly increases accuracy and readability, the boundaries of the Critical Area's various land use designations (i.e., Resource Conservation Areas, Limited Development Areas, and Intensely Developed Areas) on individual lots may have changed. Every property that would experience a change of more than ten percent was notified of the change by the Critical Area Commission and had the chance to comment on the proposed changes.

The maps are designed as an interactive tool and may be accessed on the website of the Critical Area Commission¹ to determine the boundaries as may affect any individual lot. Once adopted, the maps will also be a layer on the County's digital mapping system.

The Critical Area Commission has reviewed the legislation and approved it for form and content.

SECTION 1.

§ 18-2-101(b) is amended to provide grandfathering for certain applications in process, and provides that applications for development will be governed by the Critical Area boundaries as exist today under the original maps provided any permits associated with the development are issued prior to December 1, 2021; and that applications for a variance or special exception filed before the effective date of the bill will be governed by the Critical Area boundaries as exist today under the original maps, provided any permits associated with the development are issued prior to December 1, 2021.

§ 18-13-103 is amended to adopt the new Critical Area maps, and provides that the Office of Planning and Zoning shall keep and maintain the new maps.

SECTION 2. (uncodified) provides that all references to the "effective date" of the bill will be replaced with the actual effective date upon codification.

SECTION 3. (uncodified) provides that the Critical Area maps will be made available on the Office of Planning and Zoning website.

SECTION 4. (uncodified) provides that the approved bill is still subject to the final approval of the Critical Area Commission and will be void unless approved.

The Office of Law is available to answer any additional questions regarding Bill No. 63-21. Thank you.

cc: Honorable Stuart Pittman, County Executive
Kai Boggess-de Bruin, Chief of Staff
Matt Power, Chief Administrative Officer
Peter Baron, Legislative Liaison
Chris Trumbauer, Budget Officer
Steven Kaii-Ziegler, Planning and Zoning Officer

¹ <http://webmaps.esrgc.org/cbca/desktop/Map>