

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2025, Legislative Day No. 3

Bill No. 14-25

Introduced by Mr. Volke

By the County Council, February 3, 2025

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Introduced and first read on February 3, 2025  
Public Hearing set for March 3, 2025  
Bill Expires May 9, 2025

By Order: Kaley Schultze, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Archaeological Resources  
2  
3 FOR the purpose of amending the criteria used to determine archeological resources; and  
4 generally relating to subdivision and development.

5  
6 BY repealing and reenacting, with amendments: § 17-6-502  
7 Anne Arundel County Code (2005, as amended)

8  
9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
10 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

### ARTICLE 17. SUBDIVISION AND DEVELOPMENT

#### TITLE 6. GENERAL DEVELOPMENT PROVISIONS

##### 17-6-502. Archaeological resources.

17  
18 (a) **Generally.** Development shall GENERALLY avoid disturbance of significant  
19 archaeological resources listed on the Maryland Inventory of ~~[[Archaeological Resources]]~~  
20 HISTORIC PROPERTIES (ARCHAEOLOGY) MAINTAINED BY THE MARYLAND HISTORIC  
21 TRUST EXCEPT AS OTHERWISE AUTHORIZED UNDER THESE PROVISIONS. If the Office of  
22 Planning and Zoning determines that there is a known or high potential for the existence  
23 of an archaeological resource on a property, the developer shall have a “Phase I”  
24 preliminary or intensive archaeological survey conducted, as required by the Office of  
25 Planning and Zoning. If an archaeological site is found as a result of a “Phase I”

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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.

1 investigation, the developer shall conduct a Phase II survey to determine the extent of the  
2 site and the level of its significance.

3  
4 (b) **Significant resource.** If the Office of Planning and Zoning determines that an  
5 archaeological resource is significant BASED ON THE FINDINGS OF THE PHASE II SURVEY,  
6 the developer shall EITHER:

7  
8 (1) plan development to preserve or mitigate adverse impacts to the resource and  
9 execute and deliver to the Office of Planning and Zoning a preservation easement to protect  
10 it; or

11  
12 (2) ~~[[with approval from the Office of Planning and Zoning,]]~~ SUBMIT A “PHASE III”  
13 DATA RECOVERY PLAN, PREPARED BY A QUALIFIED ARCHAEOLOGIST, WHICH SHALL BE  
14 REVIEWED BY THE OFFICE OF PLANNING AND ZONING FOR APPROVAL AND ADHERENCE  
15 WITH THE PUBLISHED “STANDARDS AND GUIDELINES FOR ARCHAEOLOGICAL  
16 INVESTIGATIONS IN MARYLAND”, BEFORE PROCEEDING TO impact the resource and  
17 ~~[[conduct an]]~~ COMPLETE THE approved data recovery investigation ~~[[or “Phase III” study~~  
18 ~~before]]~~ PRIOR TO commencing development. ANY SIGNIFICANT ARCHAEOLOGICAL  
19 RESOURCE REMAINING ON THE PROPERTY AFTER COMPLETION OF THE APPROVED DATA  
20 RECOVERY PLAN SHALL BE PLACED UNDER A PRESERVATION EASEMENT.

21  
22 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days  
23 from the date it becomes law.