

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2007, Legislative Day No. 35

Bill No. 61-07

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

By the County Council, August 6, 2007

Introduced and first read on August 6, 2007
Public Hearing set for and held on September 4, 2007
Public Hearing on AMENDED BILL set for and held on September 17, 2007
Public Hearing on SECOND AMENDED BILL set for and held on October 1, 2007
Bill AMENDED AND VOTED on October 1, 2007
Bill Expires November 9, 2007

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Adequate Road
2 Facilities

3
4 FOR the purpose of conferring on the Planning and Zoning Officer the discretion to
5 consider the aggregate impact on roads of development in certain peninsulas when
6 determining the adequacy of road facilities; adding a certain peninsula to the list of
7 peninsulas that are subject to the aggregate impact assessment and the extended
8 impact area; and generally relating to adequate road facilities for subdivision and
9 development.

10
11 BY repealing and reenacting, with amendments: § 17-5-403
12 Anne Arundel County Code (2005, as amended)

13
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
15 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
16 follows:

17
18 ARTICLE 17 SUBDIVISION AND DEVELOPMENT

19
20 TITLE 5. ADEQUATE PUBLIC FACILITIES

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 **17-5-403. Impact area.**

2
3 (a) **Generally.** Except as provided in subsection (b), the impact area of a proposed
4 development includes all County roads and State roads located in the County in all
5 directions from each point of entrance to and exit from the proposed development,
6 through the intersection with the first arterial road, and along that arterial road in both
7 directions, to the second intersecting arterial road, except that the impact area for the
8 Odenton Growth Management Area District and the Parole Town Center Growth
9 Management Area does not include roads outside the district or center.

10
11 (b) **Certain peninsulas.** NOTWITHSTANDING THE PROVISIONS CONTAINED IN § 17-5-
12 401(A), THE PLANNING AND ZONING OFFICER MAY ASSESS, IN THE AGGREGATE, THE
13 IMPACT ON ROADS OF DEVELOPMENT IN CERTAIN PENINSULAS, AS DESCRIBED BELOW,
14 FOR THE PURPOSE OF DETERMINING WHETHER MITIGATION UNDER § 17-5-109 § 17-5-901 IS
15 APPROPRIATE.

16
17 The impact area shall be extended through the second intersecting arterial road and
18 along that arterial road to the third intersecting arterial if the development is located:

19
20 (1) east of the intersection of Fort Smallwood Road (Route 173) and Hogneck
21 Road (Route 607) and will use Fort Smallwood Road as the sole route out of the
22 peninsula;

23
24 (2) east of the intersection of Mountain Road (Route 177) and Woods Road and
25 will use Mountain Road as the sole route out of the peninsula;

26
27 (3) east of the intersection of Bay Ridge Avenue and Bay Ridge Road and will
28 use Bay Ridge Road as the sole route out of the peninsula; [or]

29
30 (4) east of the intersection of Central Avenue (Route 214) and Muddy Creek Road
31 (Route 468) and will use Central Avenue as the sole route out of the peninsula[.]; OR

32
33 (5) EAST OF THE INTERSECTION OF DEALE - CHURCHTON ROAD (ROUTE 256) AND
34 SHADY SIDE ROAD (ROUTE 468) AND WILL USE SHADY SIDE ROAD AS THE SOLE ROUTE
35 OUT OF THE PENINSULA.

36
37 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
38 from the date it becomes law.

AMENDED: September 4 and 17 and October 1, 2007

READ AND PASSED this 1st day of October, 2007

By Order:

Judy C. Holmes
Administrative Officer

PRESENTED to the County Executive for his approval this 2nd day of October, 2007

Judy C. Holmes
Administrative Officer

APPROVED AND ENACTED this _____ day of October, 2007

JOHN R. LEOPOLD
County Executive

EFFECTIVE DATE: