



Anne Arundel County

**BICYCLE, PEDESTRIAN, TRANSIT
ASSESSMENT GUIDELINES**

Article 17-6-113

April 2021

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I. EXECUTIVE SUMMARY

Based on a growing desire by Anne Arundel County (the County) residents and commuters to increase alternative, active transportation and mobility, as well as decrease motorized vehicle congestion, the County Council approved Bill 78-18 (the Bill) on October 1, 2018 and it was signed by the County Executive on October 9, 2018. The Bill is a response to recommendations in previous plans and initiatives to update the subdivision and development regulations (Articles 17 and 18) to better incorporate consideration for all modes of transportation during the development process.

The purpose of Bill 78-18 is to enhance the subdivision and site development regulations to ensure that all modes of transportation, not just motorized vehicles, are equally considered for the road and site design during the subdivision and site development process. A key component of the legislation provides that in addition to the existing on-site and frontage improvements pertaining to road and sidewalk construction requirements in the Code and Design Manual, additional facilities shall be provided that connect to, or broaden, the existing bicycle, pedestrian, and transit networks. The Bill established a set of criteria that regulate these improvements, including a cost cap to the developer and the establishment of a fee-in-lieu option.

The Guidelines provide direction to applicants of subdivisions and site development plans on the process of meeting the requirements of the Bill. The Guidelines provide details regarding the pre-submittal scoping meeting requirements, the Bicycle, Pedestrian, Transit Assessment, and the conditions for approval. The County's agencies will work collaboratively with the development community to derive sound and sustainable active transportation opportunities to increase the multimodal network. It is an opportunity to work together to decrease traffic congestion, promote healthier lifestyles, contribute to protection of the environment, and create a safer multimodal transportation network comfortable for all users. Questions regarding the contents of these Guidelines should be directed to the Office of Transportation.



II. WHEN IS A BICYCLE, PEDESTRIAN, TRANSIT ASSESSMENT (BPTA) REQUIRED?

A BPTA is required for all development applications, or, with a Modification application that requests to skip the development review process, and proceed directly to grading permit.

There are some exemptions to the requirement to submit a BPTA. In these cases, the applicant may choose to do an assessment, or they may elect to pay a fee-in-lieu equal to the amounts shown in Article 17, Section 11-101. Development projects subject to these exemptions include:

- Subdivisions of five or fewer dwelling units;
- Non-residential developments, other than warehouse, comprising less than 5,000 enclosed square feet; and
- Warehouse developments comprising less than 15,000 enclosed square feet.

III. SCOPING

After submitting a development application to I&P, the applicant should submit a scoping request accompanied by the required information to the Office of Transportation. The purpose of the scoping is to examine the land uses nearby (generators and attractors), existing conditions related to the transportation network within a mile of the subject property, such as the presence of, or gaps in, the network, and potential improvements to address the requirements of Section 6-113.

The following information should accompany the **Scoping Agreement** (Appendix F).

1. Tax Map, Block, and Parcel and project address if available.
2. Project description (existing and proposed uses).
2. Number of residential units x \$330.
3. Gross floor area of non-residential uses, other than warehouses x \$0.40.
4. Gross floor area of non-residential warehouse x \$0.11.
5. A location map showing the location of the proposed development, with a one mile radius buffer shown. Specifically, the map shall show the following:
 - a. **Destinations/Trip generators.** The map should show any major sites, destinations, and trip generators within one mile of the property, including, but not limited to: transit stops, public facilities (e.g., schools, libraries, parks, post offices, etc.), recreational facilities, trails, large commercial/retail centers, hospitals and other medical facilities, and large employment centers, and any other relevant information, such as environmental constraints. Make note of any that are listed in the 2013 PBMP Update, List of Pedestrian/Bicycle Attractors.
 - b. **Existing and planned/programmed pedestrian, bicycle, and transit** conditions shall be shown and identified in a legend. This data is available within the Bike and Sidewalk GIS data files available at the County web page: <https://www.aacounty.org/county-maps/index.html>. It represents projects identified in the County Pedestrian and Bicycle Master Plan, as well as those within the State's Plan for Bicycle Routes.
 - c. **Site Plan.** A site plan that shows the onsite bicycle, pedestrian, or transit facilities proposed.



6. If identified, an exhibit of a potential improvement(s) to meet the requirement of Article 17, Section 6-113.
7. Site tabulations from the plan set that identify the square footages of all uses for non-residential developments.

The results of the scoping shall be documented in a memo to the applicant from OOT. This memo will include a discussion of County projects, studies, or other initiatives in the area. The memo will suggest several options, however, these are suggestions and the applicant may explore other options.

If the scope or the use of the project changes during the review process, the changes will be addressed in a County review or approval letter from the Office of Transportation. The final determination on the use categories and cost cap will be made during the project review. An approved scoping memo will be sent to the applicant once review is complete.

IV. CONTENTS OF THE BICYCLE, PEDESTRIAN, TRANSIT ASSESSMENT (BPTA) SUBMITTAL PACKAGE

The applicant will prepare and submit a BPTA Package with the first development application for a project. The BPTA Package shall contain all information necessary to identify the existing bicycle, pedestrian, and transit related conditions within one mile of the subject property, and the on- or off-site proposed facilities as discussed in the scoping. It should contain the following:

- A. Map.** The applicant shall include a final version of the map produced for the scoping that identifies the existing bicycle, pedestrian, and transit conditions and future planned projects.
Note: It may be necessary to field verify information that affects the decision regarding a proposed offsite improvement to meet Section 6-113.
- B. Site Plan.** A site plan that shows the BPTA related transportation improvements for the proposed development. All associated calculations and analyses required to assess the improvement i.e. signal warrants analyses, pedestrian count, etc. The purpose is to evaluate the proposed improvements to ensure the selection of a final improvement, whether onsite or offsite, intended to meet the requirements of Section 6-113 are compatible, and consistent with, expanding the bicycle, pedestrian, or transit network.
- C.** An exhibit that shows the proposed improvement intended to meet the requirements of Section 17-6-113.
- D. BPTA.** The BPTA (Appendix A) contains a list of questions that expands upon and describes what is shown on the map. The Worksheet is available as both a Word document, or a fillable PDF form, at the Transportation Web Page at the following location:
<https://www.aacounty.org/departments/transportation/forms-and-publications/index.html>.
The Worksheet includes answers to questions that will describe characteristics of the existing offsite conditions and attractors, such as size of retail centers or population densities that may generate more or less need for bicycle, pedestrian, or transit infrastructure. It will also describe potential opportunities and an analysis of proposed transportation related improvements as it pertains to the site. The worksheet is separated into the following sections:



1. **General Site Information.** Section I requests basic information related to the site, such as project name and address as we provide a place to identify the basics of the site and how it relates to the surrounding land uses.
2. **Site Context.** Section II requests information about the land use and character surrounding the site, road classifications and speeds, and the general conditions on the surrounding road network that may contribute to a level of comfort for bicyclists and pedestrians, such as presence or lack of buffers, etc.
3. **Off-Site Assessment/Opportunities.** Section III identifies an inventory of existing BPT related infrastructure and land uses within one mile of the subject site. This Section should expand on the contents of the map and describe the trip generators and attractors and travel patterns and conditions. This section should describe the relationship between the improvement intended to meet Article 17, Section 6-113 and the surrounding network.
4. **On-site Assessment/Opportunities.** A description of onsite improvements shall be completed.
5. **Assessment Conclusions.** The applicant should, at a minimum, unless otherwise agreed upon by OOT, provide an assessment of each of the improvements suggested in the Scoping memo from OOT. The assessment should include any analyses necessary to demonstrate a viable improvement, including but not limited to the following:
 - Cost estimates using the MDOT bicycle facility cost estimator tool or I&P Unit cost list;
 - Feasibility analyses – each improvement suggested should be analyzed and a quantifiable explanation provided if it is determined not to be feasible.
 - For Pedestrian crossing enhancements, a warrant analysis report prepared in accordance with the DPW Pedestrian/Bicycle Crossing Improvements Analysis Report Template. (Similar to the Signal Warrant Analysis required during the TIS process) available on the OOT website.

V. SUBMITTAL PROCESS/REQUIREMENTS

- A. The BPTA may be submitted with the Transportation Review package with any of the steps in the development review process (Sketch/Final; Preliminary Plan/Site Development Plan (SDP)) however, it must be completed prior to the Final Plan or SDP approval. (Note: If a Modification to skip a process is being requested, the applicant shall submit a BPTA with the Modification request.)
- B. The following note shall be placed on Final Plan/SDP and Plat cover sheet:

In accordance with Article 17-6-113, a BPTA was approved by the Office of Transportation on _____ and the following improvements shown on Sheet _____ of this plan set meet the requirement for a BPT improvement above and beyond any other site design requirements of this Code.

Should the Planning and Zoning Officer provide a finding that the fee-in-lieu is appropriate, it must be paid prior to Final Plan/SDP approval. The following note shall be placed on the Final Plan/SDP and Plat cover sheet:



Per Article 17-6-113(e)(1), a fee-in-lieu of providing Bicycle, Pedestrian, and Transit improvements intended to meet the requirements of 17-6-113(b), in the amount of \$_____ was paid on _____, by receipt number _____.

- C. The Final or SDP engineered plan set shall clearly identify improvements intended to meet requirements of Section 6-113. Depending on the improvement, this may be either a separate sheet or shown on other sheets. All improvements located within public right of way shall be included in the public works agreement and also shown on the public plans. **At the discretion of Inspections and Permits**, if public plans are not otherwise required, the offsite improvements may be shown on the grading permit and included as a separate line item in the grading and sediment control bond.
- D. Prior to the approval of the Site Development or Final, the proposed offsite improvements and a cost estimate for the work, must be approved by the Office of Transportation. The Office of Transportation will include acknowledgement of an approval of the proposed improvements intended to meet the requirements of Section 17-6-113, in the development review comment memorandum to OPZ.



APPENDIX A – BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT WORKSHEET

I. GENERAL INFORMATION

- A. Project name: _____
- B. Subdivision/Site Development Plan/Grading Permit Name and Number:

- C. Project address:
- D. Project description (existing and proposed uses):
- E. Number of residential units x \$330:
- F. Gross floor area of non-residential uses, other than warehouses x \$0.40:
- G. Gross floor area of non-residential warehouse x \$0.11:

II. SITE CONTEXT

- A. Identify existing and proposed road classifications and posted speeds within one mile of the subject property.
- B. Land Use and Character: Describe the character of the project area, including predominant land uses, densities, scenic and historic roads, Town Centers, Business Districts, environmental features or constraints. Describe the compatibility of the proposed design intended to meet Article 17, Section 6-113 with these characteristics.
- C. Attach all applicable maps, background information, and exhibits to this Assessment.

III. OFF-SITE ASSESSMENT/OPPORTUNITIES

- A. Trip Generators and Attractors: List any major sites, destinations, and trip generators within one mile of the project area, including: transit stops; public facilities (e.g. schools, libraries, parks or post offices); cultural facilities; retail and employment centers. Per County Code Article 17, Section 2-102(3), describe how the site design will provide for the proper and safe arrangement and connectivity of multi-modal transportation infrastructure in relation to those existing or planned and to provide for the most beneficial relationship between the use of land,



buildings, traffic, and multi-modal transportation. Make note of any listed on Page 47 of the PBMP 2013 Update.

- B. Travel Patterns and Conditions: Describe existing and desired walking, bicycling, transit, within the project area, including whether or not the surrounding network or roads are future projects in County plans and/or studies. Identify existing sidewalks, shared use paths, and bicycle lanes as well as “worn paths” which indicate a desired walking route. Plans to reference include, but may not be limited to, the 2003 Pedestrian and Bicycle Master Plan (PBMP), the PBMP 2013 Update, the General Development Plan, the Transportation Functional Master Plan, the Small Area Plans, and projects approved in the current CIP.
- C. Opportunities: Identify opportunities to address safety, mobility, and access within one mile of the subject site. Provide an exhibit that shows any offsite improvement proposed to meet the requirements of Article 17, Section 113.

III. ON SITE ASSESSMENT/OPPORTUNITIES

A. General:

1. Per County Code Section 17-6-103(i), describe how public roads within a proposed subdivision have been designed to enhance multimodal transportation options.
2. Per County Code Section 17-6-103(j), describe how private roads have been designed to encourage opportunities for multi-modal transportation connections.
3. Does the right-of-way dedication provide sufficient space for the pedestrian and bicycle facilities required in the DPW Design Manual?
4. Describe how the roads have been designed to comply with County Code Section 17-6-103(c) and provide connections between subdivisions of similar zoning and use.
5. For development within the Odenton Town Center, describe how the requirements regarding multimodal transportation infrastructure are being met.

B. Pedestrian Facilities – (Please provide an explanation if a requirement isn’t met)

1. Per the County Design Manual, describe how the site provides adequate clear sidewalk widths along street frontages (minimum of 5 feet of clear sidewalk width required per the Design Manual) and ADA compliant curb ramps?
2. Per the County Design Manual, does the design provide a recommended buffer between pedestrians and traffic?
3. Does the design include pedestrian facilities and designated crossings that provide direct connections to destinations?
4. Describe how pedestrian facilities provide for internal site circulation (e.g., walkways along and between buildings, walkways through parking lots to buildings, designated crossings of drive aisles).



5. Describe where walkway lighting and/or continuous street lighting that meets or exceeds County standards is provided.
6. Does the design minimize vehicle intrusions into the pedestrian zone (e.g., driveways, loading zones, bus or vehicle pull outs)?
7. Per the County Code, Article 17, Section 5-503(b), is the block length and width adequate to provide convenient access, circulation, and safety for pedestrian circulation? Provide the block length and width. There is no standard for this, however, typical safety
8. Are marked crosswalks and/or other crossing improvements provided at appropriate locations?

C. Bicycle Facilities – (Please provide an explanation if a requirement isn't met):

1. Per County Code Section 17-6-111(j), are bikeways and/or shared use paths that support the objectives of bicycle, pedestrian, and transit infrastructure and connectivity to existing, planned, or future offsite infrastructure, and are in public easement, shown?
2. Include bicycle facilities identified in adopted plans.
3. For on road bicycle lanes, is adequate type/width per nationally recognized standards including those identified in the AASHTO Guide for the Development of Bicycle Facilities (2012 Edition) and the NACTO Urban Bikeway Design Guide provided?
4. Is bicycle parking provided?

D. Transit Facilities – (Please provide an explanation if a requirement isn't met):

1. Are transit enhancements in the design (e.g., bus shelter, bus or intermodal transfer stop, park-and-ride facility, bus stop pad or pull-out) provided?
2. Is lighting at on-site transit stops that meets or exceeds County standards provided?
3. Is ADA compliant landing pads at on-site transit stops provided?
4. Is a space for passengers to wait for and board transit vehicles that are separate from the walkway at the on-site stops provided?

III. BPTA CONCLUSIONS

1. Describe the recommended improvement to meet the requirements of Section 17-6-113.
2. Provide the cost analysis per 17-6-113(D).
3. If the developer is seeking additional funding from the County's Multimodal Infrastructure Fee-in-lieu Fund, please indicate an amount here.



APPENDIX B – DEFINITIONS

Bicycle facilities - A general term denoting improvements and provisions to accommodate or encourage bicycling, including parking and storage facilities, and shared roadways not specifically defined for bicycle use.

Bicycle Lane or Bike Lane - A portion of the roadway, designated for preferential or exclusive use by bicyclists by pavement markings and, if used, signs. This also includes buffered bike lanes, which are bike lanes with an additional painted separated from travel lanes that can also be used between parked cars. Bike lanes are typically located on the right side of vehicular travel lanes and ~~generally~~run in the same direction as vehicular traffic, except for contraflow bike lanes, which travel in the opposite direction of traffic. Bike lanes do not have physical barriers of separation from vehicles other than paint.

Bicycle Network - A system of bikeways designated by the jurisdiction having authority. This system may include bike lanes, bicycle routes, shared use paths, and other identifiable bicycle facilities.

Bicycle Route – A roadway or bikeway designated by the jurisdiction having authority, either with a unique route designation or with Bike Route signs, along which bicycle guide signs may provide directional and distance information. Signs that establish directional, distance, and destination information for bicyclists do not necessarily establish a bicycle route.

Bikeway - A general term for any road, street, path, or way which in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

Furniture Zone – According to the NACTO Urban Street Design Guide, the furniture zone is the section of the sidewalk between the curb and the through zone in which street furniture and amenities, such as lighting, benches, newspaper kiosks, utility poles, treepits, and bicycle parking are provided. The furniture zone may also consist of green infrastructure elements, such as rain gardens or flow-through planters.

Off-Site Improvement – For the purposes of these Guidelines, off-site improvements means a bicycle, pedestrian, or transit related improvement that is meant to meet the requirement of Article 17, Section 6-113 and is above and beyond any required on-site or road frontage improvements found elsewhere in the County Code.

Road User – A motorized vehicle operator, bicyclist, or pedestrian within the highway, including persons with disabilities.

Roadway – That portion of a highway, including shoulders, intended for vehicular use.

Separated Bike Lanes – An exclusive facility for bicyclists, also called a “cycle track” or “protected bike lanes,” that is located within, or directly adjacent to, the roadway and that is physically separated from motor vehicle traffic with a vertical element.



Shared Lane – A lane of a traveled way that is open to both bicycle and motor vehicle travel. Shared lanes can be established with either signs or pavement markings.

Sharrow – A type of pavement marking indicating that a travel lane is to be shared by vehicles and bicycles.

Shared Use Path – A bikeway physically, that can also be a trail, separated from motor vehicle traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users and are usually designed for two -way travel.

Side Path – A shared use path located immediately adjacent and parallel to a roadway.

Shoulder – The portion of the roadway contiguous with the traveled way that accommodates stopped vehicles, emergency use, and lateral support of subbase, base, and surface courses.



APPENDIX C - BICYCLE, PEDESTRIAN, TRANSIT CHECKLIST				
Level of Service as Determined with TIS:				
Pedestrian				
Bicycle				
Transit				
BPTA Infrastructure Inventory W/In One Mile:				
Pedestrian Infrastructure				
Type	Yes	No	Location	Comments (Condition? Width? Buffered?)
Sidewalks				
Crosswalks				
Mid Block Crossings				
Pedestrian Median Refuges				
Channelizing Median Islands				
Curb ramps				
Signage				
Rapid Flashing Beacons				
Other(Add as many as appropriate)				
Bicycle Infrastructure				
Type	Yes	No	Location	Comments (Widths, conditions, etc.)
Sharrows				
Bike Lanes				
Shoulders				
Shared Use Paths				
Trails				
Bicycle Parking				
Bike share nearby				
Transit Infrastructure				
Type	Yes	No	Location	Comments (Shelters? Bus Pull Outs/Dedicated Lanes?)
Bus stops				
Shuttles				
Rapid Transit				
Light Rail				
Park and Ride Lots				
Other Amenities				
Other				
Type	Yes	No	Location	Comments
Lighting				
Right of Way Constraints				
CIP Projects				
PBMP projects				
Scenic and Historic Roads				
Schools				
Retail Centers				
Employment Centers				
Parks				
Library				
Institutional Uses (Hospitals/Rehabilitation Centers)				
Entertainment generators (Malls, Theaters, Boys and Girls Clubs)				
Other(Add as needed)				



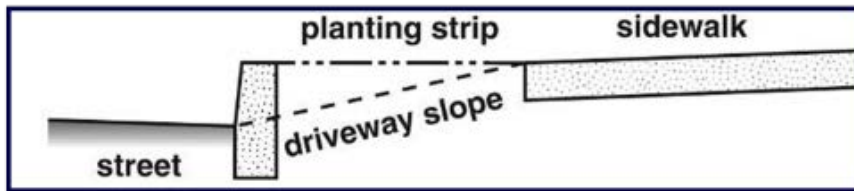
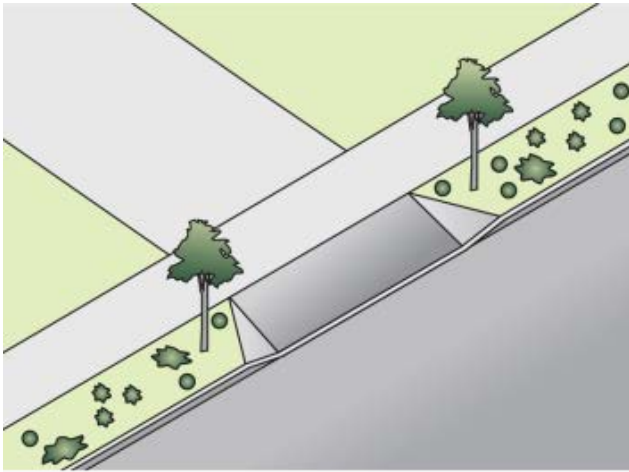
APPENDIX D – EXAMPLES OF ENHANCEMENTS

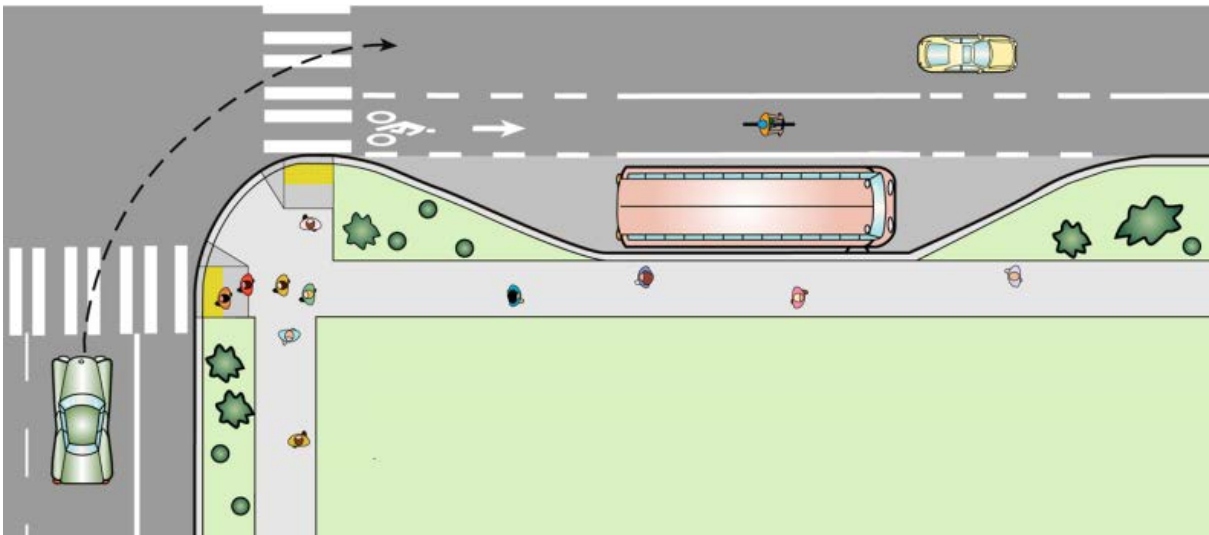


Buffered Sidewalk should replace worn paths that show desired walking locations.



Design for ADA Accessibility – adequate width around obstacles and elevated sidewalk at driveways





Transit stop cut out should encourage slow turns



Bus Shelters best placed in "Furniture Zone"





Shared Lane Markings, or “Sharrows,” are used to indicate a shared lane environment for bicycles and automobiles. These should most often be used on low speed roads, where space constraints may be present.



Buffered Bike Lanes: Conventional bicycle lanes paired with a painted designated buffer, characterized by two vertical lines and hatching. This image shows a buffer to both the automobile travel lanes and the parked cars.





Separated Bike Lanes: Separated bike lanes are similar to buffered bike lanes except that they are characterized by some sort of vertical barrier, such as bollards, planters, or even parked cars.



APPENDIX E

BILL 78-18



FINAL

AMENDED

September 17, 2018

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY,
MARYLAND

Legislative Session 2018, Legislative Day No.

34 Bill No. 78-18

Introduced by Mr. Peroutka,
Chairman (by request of the County
Executive) and by Mr. Trumbauer

By the County Council, July 16, 2018

Introduced and first read on July 16, 2018

Public Hearing set for and held on September 17, 2018

Public Hearing on AMENDED bill set for and held on October 1, 2018
Bill Expires October 19, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development - Roads - Multi-Modal
2 Transportation

3

4 FOR the purpose of adding a multi-modal transportation component to County subdivision
5 and development policies and processes; defining certain terms; amending County
6 subdivision and development procedures to include bicycle, pedestrian, and transit
7 assessment; exempting certain subdivisions and developments from the requirement of
8 a bicycle, pedestrian, and transit assessment; amending provisions for mitigation of
9 adequate public facilities to ensure compatibility with multi-modal transportation
10 infrastructure; amending the road design provisions to include multi-modal



11 transportation options; permitting shared-use paths to satisfy certain
open space and
12 recreation area requirements; adding the design requirements for bikeways and shared-
13 use paths; adding provisions for bicycle, pedestrian, and transit infrastructure in
14 subdivision and development; providing cost caps and fee-in-lieu options for certain
15 bicycle, pedestrian, and transit infrastructure requirements; providing for the
16 application of this Ordinance; and generally relating to subdivision and development.
17

J 8 BY renumbering: §§ 17-1-101(5) through (91) to be 17-1-101(7) through (96),
19 respectively; and 17-4-202(c)(8) through (17) to be 17-4-202(c)(9) through (18),
20 respectively

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

Captions and tagLines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates amendments to bill.

Strikeover indicates matter stricken from bill by amendment.

1 Anne Arundel County Code (2005, as amended)
2

3 BY adding: §§ 17-1-101(5), (6), (65), (66) and (84); 17-3-201(d); 17-3-301 (d); 17-4-
4 201 (c); 17-4-202(c)(8) and (d); 17-6-111 (j); and 17-6-113

5 Anne Arundel County Code (2005, as amended)
6

7 BY repealing and reenacting, with amendments: §§ 17-2-102(3), (10), and (11); 17-3- 8
201(b) and (c); 17-3-301 (c); 17-3-403(a); 17-5-901 (a) and (h); 17-5-902; 17-6- 9
103(i)(l) and (j); 17-6-111 (c), (d), (e), and (h); and 17-11-101

10 Anne Arundel County Code (2005, as amended)
11

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

13 That §§ 17-1-101(5) through (91); and 17-4-202(c)(8) through (17) of the Anne Arundel
14 County Code (2005, as amended) are hereby renumbered to be §§ 17-1-101(7) through
15 (96); and 17-4-202(c)(9) through (18), respectively.
16



17 SECTION 2. And be ~~it further~~*it further* enacted, That Section(s) of the
Anne Arundel County
18 Code (2005, as amended) read as follows:
19

20 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**
21

22 **TITLE 1. DEFINITIONS**
23

24 **17-1-101. Defmitions.**
25

26 Unless defined in this article, the Natural Resources Article of the State Code, or
27 COMAR, the definitions of words defined elsewhere in this Code apply in this article. The
28 following words have the meanings indicated:
29

30 (5) "BICYCLE PEDESTRIAN AND TRANSIT INFRASTRUCTURE " MEANS BIKEWAYS,
31 SHARED-USE PATHS, SIDEWALKS, TRANSIT STOPS, TRANSIT STATIONS, AND OTHER
32 INFRASTRUCTURE THAT SUPPORTS BICYCLE AND PEDESTRIAN TRANSPORTATION . 33

34 (6) "BIKEWAY" MEANS ANY ROAD, STREET, PATH, OR WAY WHICH IN SOME MANNER
35 IS SPECIFICALLY DESIGNATED FOR BICYCLE TRAVEL, REGARDLESS OF WHETHER SUCH
36 FACILITIES ARE DESIGNATED FOR THE EXCLUSIVE USE OF BICYCLES OR ARE TO BE
37 SHARED WITH OTHER TRANSPORTATION MODES.
38

39 (65) "MULTI-MODAL TRANSPORTATION" MEANS ANY MODE OF PUBLIC OR PRIVATE
40 MOBILITY , fNCLUDING MOTORIZED TRANSPORTATION , ~~BICYCLING~~~~BICYCLING~~ , WALKING , OR
ANY
41 COMBINATION THEREOF.
42

43 (66) "MULTI-MODAL TRANSPORTATION INFRASTRUCTURE" MEANS ROADS, BICYCLE,
44 PEDESTRIAN , AND TRANSIT INFRASTRUCTURE , AND OTHER INFRASTRUCTURE THAT
45 SUPPORTS MULTI-MODAL TRANSPORTATION .
46

47 (84) "SHARED-USE PATH " MEANS A BIKEWAY THAT CAN ALSO BE A TRAIL, WHICH IS
48 PHYSICALLY SEPARATED FROM MOTOR VEHICLE TRAFFIC BY AN OPEN SPACE OR
49 BARRIER, AND IS EITHER WITHfN THE PUBLIC RIGHT-OF-WAY OR EASEMENT. SHARED-USE
50 PATHS MAY ALSO BE USED BY PEDESTRIANS , SKATERS, WHEELCHAIR USERS, JOGGERS,
51 AND OTHER NON-MOTORIZED USERS, AND MOTORIZED USERS ONLY AS PERMITTED fN
52 THIS CODE AND IN STATE CODE, AND MAY BE DESIGNED FOR TWO-WAY TRAVEL.

1 **TITLE 2. GENERAL PROVISIONS**
2

3 **17-2-102. Policy.**



4

5 The policy of the County is to:

6

7 (3) provide for the proper AND SAFE arrangement AND CONNECTIVITY of [roads]
8 MULTI-MODAL TRANSPORTATION INFRASTRUCTURE in relation to those existing or
9 planned and to provide for the most beneficial relationship between the use of land,
10 buildings, traffic, and [pedestrian movements] MULTI-MODAL TRANSPORTATION; 11

12 (10) ensure that existing and proposed public improvements conform with and are
13 related to the proposals shown AND RECOMMENDATIONS CONTAINED in the CURRENT
14 General Development Plan, Capital Improvement Program, AND OTHER
15 TRANSPORTATION OR MASTER development PLANS OR programs ADOPTED BY [of] the
16 County; and

17

18 (11) supplement and facilitate the enforcement of the provisions and standards
19 contained in Article 15 of this Code, Article 18 of this Code, the RECOMMENDATIONS
20 CONTAINED IN THE CURRENT General Development Plan, Capital Improvement Program,
21 AND OTHER TRANSPORTATION OR DEVELOPMENT PLANS OR PROGRAMS ADOPTED BY
22 Anne Arundel County.

23

24 TITLE 3. SUBDIVISION

25

26 17-3-201. Sketch plan application.

27

28 (b) **Contents.** A sketch plan shall be on a 24" x 36" sheet at a scale that is no smaller
29 than 1" = 100' and shall contain all information required by the Office of Planning and
30 Zoning, including attachments appearing on the current sketch plan checklist maintained
31 by the Office of Planning and Zoning. The sketch plan shall show the initial location of all
32 development, including MULTI-MODAL TRANSPORTATION INFRASTRUCTURE, roads,
33 buildings, parking, stormwater management, and utilities, identify conservation and
34 environmentally sensitive areas, and provide other information required by the Office of
35 Planning and Zoning to clearly identify areas on the site that are suitable for development.

36

37 (c) **Attachments.** A sketch plan shall be accompanied by all information required by
38 the Office of Planning and Zoning and the Department of Inspections and Permits,
39 including to the extent applicable:

40

41 (1) a sketch plan showing an initial location of stormwater management, utilities,
42 forest conservation area, and any other pertinent information requested by the Office of
43 Planning and Zoning to facilitate determination of the development envelope on the site;



44

45 (2) a landscape plan that is in compliance with the Landscape Manual;
46

47 (3) the estimated quantity of proposed excavation and fill;
48

49 (4) a forest stand delineation;

(5) a bog protection plan for a bog protection area;

2

3 (6) maps of existing and proposed drainage areas at a scale of 1" = 100' for sites
4 less than 25 acres and 1"= 200 ' for sites greater than 25 acres;
5

5

6 (7) a traffic impact study;
7

7

8 (8) A BICYCLE, PEDESTRIAN , AND TRANSIT ASSESSMENT, UNLESS EXEMPT
9 PURSUANT TO SUBSECTION (D);
JO

JO

11 [(8)] (9) in the critical area:

12

13 (i) a sediment control plan for all forest or woodland disturbance of 5,000
14 square feet or more;
15

15

16 (ii) a buffer management plan as required by COMAR, Title 27;
17

17

18 (iii) a critical area report and habitat assessment; and
19

19

20 (iv) all computations and data necessary to determine if the 10% pollutant
21 reduction requirements of § 16-4-205 of this Code are met;
22

22

23 [(9)] (10) an equivalent dwelling unit (EDU) worksheet; and
24

24

25 ((10)) (11) a copy of a summary of comments received at the pre-submission
26 community meeting; an affidavit signed by the developer or other evidence acceptable to
27 the Office of Planning and Zoning to prove that a community meeting was held and that a
28 copy of the summary of comments was mailed to each participant at the pre-submission



29 community meeting, to all lot owners within [175] 300 feet of the property
to be subdivided,
30 and to the County Councilmember of the Councilmanic District where the property is
31 located and, if the property abuts another Councilmanic District, to that County
32 Councilmember.

33

34 (D) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING
35 SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE PEDESTRIAN AND TRANSIT
36 INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE PEDESTRIAN AND TRANSIT
37 ASSESSMENT:

38

39 (1) SUBDIVISIONS OF FIVE OR FEWER DWELLING UNITS;

40

41 (2) NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED
42 SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS ; AND 43

44 (3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED
45 SQUARE FEET.

46

47 **17-3-301. Final plan application.**

48

49 (c) **Attachments.** A final plan shall be accompanied by all information required by the
50 Office of Planning and Zoning and the Department of Inspections and Permits, including
to the extent applicable:

2

3 (1) a final infrastructure construction plan, including a stormwater management
4 plan in accordance with Article 16 of this Code, a storm drain plan, a water and sewer plan,
5 and a public MULTI-MODAL TRANSPORTATION [road] plan;

6

7 (2) a forest conservation plan;

8

9 (3) drafts of all other deeds, easements, rights-of-way, agreements, and other
J O documents required by this article and requested by the Office of Planning and Zoning;

11

12 (4) final quantities of proposed excavation and fill;

13



14 (5) a bog protection plan for a bog protection area;

15

16 (6) a traffic IMPACT study IF NOT PREVIOUSLY PROVIDED;

17

18 (7) A BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT, IF NOT PREVIOUSLY
19 PROVIDED, UNLESS EXEMPT PURSUANT TO SUBSECTION (D);

20

21 [(7)] (8) a buffer management plan as required by COMAR, Title 27;

22

23 [(8)] (9) a demonstration of external ADA accessibility as required by law;

24

25 [(9)] (10) for subdivisions consisting of six or more lots, drafts of documents
26 required in connection with the creation and incorporation of a community association or
27 homeowners association;

28

29 ((10)) (11) a proposed record plat; and

30

31 [(1 1)] (12) a digital copy of the proposed record plat or the fee for digital conversion
32 of a proposed record plat.

33

34 (D) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING
35 SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE, PEDESTRIAN , AND TRANSIT
36 INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE, PEDESTRIAN , AND TRANSIT
37 ASSESSMENT

: 38

39 (1) SUBDIVISIONS OF FIVE OR FEWER DWELLING UNITS;

40

41 (2) NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED
42 SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS; AND 43

44 (3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED
45 SQUARE FEET.

46

47 **17-3-403. Reservation of land for public facilities.**

48



49 (a) **Land needed for public facilities.** The Planning and Zoning Officer
may require

50 that land in a subdivision be reserved for acquisition by the County or the Board of
51 Education for use as a park, COUNTY OR STATE MULTI-MODAL TRANSPORTATION

INFRASTRUCTURE , school, or other public facility if the Planning and Zoning Officer
2 detennines after receipt of a written request from a department or other public entity
3 charged with responsibility for the facility that the land is needed and the facility is funded
4 in the Capital ~~Improvement~~ Improvement Program of the County or State.
5

6 TITLE 4. SITE DEVELOPMENT 7

8 **17-4-201. Preliminary plan.** 9

10 (C) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING

11 SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE, PEDESTRIAN, AND TRANSIT
12 INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE, PEDESTRIAN , AND TRANSIT
13 ASSESSMENT:
14

15 (1) SUBDIVISIONS OF FIVE OR FEWER DWELLING UNITS;

16
17 (2) NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED
18 SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS ; AND
19

20 (3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED
21 SQUARE FEET.
22

23 **17-4-202. Site development plan.** 24

25 (c) **Attachments.** A site development plan shall be accompanied by all infonnation
26 required by the Office of Planning and Zoning and the Health Department, including to the
27 extent applicable:
28

29 (8) A BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT, IF NOT PREVIOUSLY
30 PROVIDED , UNLESS EXEMPT PURSUANT TO SUBSECTION (D); 31

32 (D) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING
33 SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE PEDESTRIAN AND TRANSIT
34 INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE PEDESTRIAN AND TRANSIT
35 ASSESSMENT:



36 (1) SUBDIVISIONS OF FIVE OR FEWER UNITS;
37
38

39 (2) NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED
40 SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS; AND
41

42 (3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED
43 SQUARE FEET.
44

45 **TITLE 5. ADEQUATE PUBLIC FACILITIES**

46

47 **17-5-901. Mitigation.**

48

49 (a) **General requirement.** Except as provided in this section, mitigation consists of the
50 construction or funding of improvements to offsite public facilities by a developer that
51 increase capacity, ARE COMPATIBLE WITH THE FUNCTION, SAFETY, AND CAPACITY OF
52 MULTI-MODAL TRANSPORTATION INFRASTRUCTURE, and improve environmental
53 effectiveness or safety of each public facility that is below the minimum standard in the

1 impact area so that the capacity, environmental effectiveness or safety of the facility in the
2 scheduled completion year will be equal to or greater than if the development had not been
3 constructed. A school capacity mitigation plan may also include donation of land to the
4 Board of Education for future school facilities construction. A mitigation plan may include
5 donation of land to the Board of Education for future school facilities construction pursuant
6 to subsection (g)(2), physical improvements secured by bond, letter of credit or other
7 security acceptable to the County, which shall be provided under a public works agreement
8 or grading permit, or an agreement with the Board of Education to construct school
9 facilities, including a contract school, or payment of storm drain fees in excess of those
10 required by Title 11, or contributions to existing capital projects and shall be approved by
11 the Planning and Zoning Officer. The developer shall submit the most recent tax
12 assessment information for any land to be donated to the Board of Education, a cost
13 estimate to establish the value of construction or off-site improvements offered in
14 mitigation, and a cost estimate for construction and improvements in conformance with
15 County specifications may be approved by the Planning and Zoning Officer WHO may also
16 require a mitigation agreement to ensure compliance with the requirements of this section.
17 An agreement with the Board of Education to construct school facilities or for the donation
18 of land for a school site must comply with applicable State law and be approved by
19 resolution introduced by the County Executive and adopted by the County Council.
20

21 (h) **Transportation Capacity Mitigation Agreement.** Pursuant to this section and §

22 17-5-401, a developer may enter into a Transportation Capacity Mitigation Agreement to
23 provide capital improvements to increase road capacity to resolve existing roadway
24 deficiencies and to mitigate the traffic impact of all phases of a proposed development by



25 providing roadways adequate for the project, PROVIDED THOSE
26 IMPROVEMENTS ARE
27 COMPATIBLE WITH THE FUNCTION, SAFETY, AND CAPACITY OF EXISTING OR PLANNED
28 MULTI-MODAL TRANSPORTATION INFRASTRUCTURE. Approvals for development within
29 the project may not be granted until the capital improvements specified in the
30 Transportation Capacity Mitigation Agreement are completed by the developer and
31 accepted by the County, or adequate security for completion of the capital improvements
32 is provided by the developer. The capital improvements provided by the developer pursuant
33 to a Transportation Capacity Mitigation Agreement shall be available to any portion of the
34 developer's specified property or project and shall provide roadway capacity to allow
35 approval of sketch plan or site development plan applications filed for the property or
36 project within six years of the date of the Transportation Capacity Mitigation Agreement.
37 The six year filing deadline may be extended by the Planning and Zoning Officer for good
38 cause shown.

39 **17-5-902. Delay in or alternative method of accomplishing mitigation.**
40

41 If the Planning and Zoning Officer, after consultation with the Director of Public Works
42 AND THE DIRECTOR OF THE OFFICE OF TRANSPORTATION, determines that the timing of
43 capital projects or the need to ensure continuity in the transportation network makes it more
44 efficient to delay the construction of all or part of proposed mitigation, the Planning and
45 Zoning Officer shall require the developer to:
46

47 (1) delay the construction of all or part of the improvements to a date certain and
48 sign a public works agreement guaranteeing the construction of the delayed improvements;
49 or

1 (2) agree to pay the County the current estimated cost of the mitigation, which the
2 County shall use to fund all or part of a capital project to improve the facilities that were
3 to have been mitigated by the developer.
4

5 **TITLE 6. GENERAL DEVELOPMENT PROVISIONS**
6

7 **17-6-103. Road design.**
8

9 (i) Public roads. Public roads within a proposed subdivision shall be designed, to the
10 maximum extent practicable, to minimize impervious surfaces, grading, and impacts to
11 natural features, AND TO ENHANCE MULTI-MODAL TRANSPORTATION OPTIONS.
12

13 (1) The right-of-way for public roads shall be conveyed by dedicating and deeding
14 the land to the County or State in fee simple. If a proposed subdivision other than an



15 agricultural preservation subdivision borders a County or State road that
16 does not comply
17 with County or State standards, the developer shall dedicate and deed sufficient right-of-
18 way to comply with the standards and to accommodate pedestrian and bicycle facilities
19 identified in the CURRENT County Pedestrian and Bicycle Master Plan AND OTHER
20 TRANSPORTATION OR DEVELOPMENT PLANS OR PROGRAMS ADOPTED BY THE COUNTY,
21 except that in a cluster development in an RA or RLD District, the developer shall dedicate
22 and deed in fee simple sufficient right-of-way to comply with the standards on the road
23 frontage of the cluster lots only.

24 (j) Private roads; declaration. Proposed new private roads shall be designed to
25 accommodate areas for mail delivery and the collection of residents' garbage and
26 recyclable materials AND TO ENCOURAGE OPPORTUNITIES FOR MULTI-MODAL
27 TRANSPORTATION CONNECTIONS. Generally these areas shall be in close proximity to
28 public roads. The developer shall prepare and record a declaration of covenants, conditions,
29 and restrictions requiring that, in the absence of a homeowners association or condominium
30 regime legally responsible for maintenance of the private road, owners of newly created
31 lots abutting a private road shall be responsible for the maintenance of the private road. For
32 private roads developed in connection with a subdivision requiring the creation of a
33 homeowners association, the declaration shall be binding on the homeowners association
34 and the homeowners association shall be responsible for maintenance of the private road.
35 For private roads developed in connection with a condominium regime, the declaration
36 shall be binding on the condominium regime's council of unit owners and the council of
37 unit owners shall be responsible for maintenance of the private road. For development in
38 the absence of a homeowners association or condominium regime the declaration shall be
39 binding on all abutting property owners and those abutting property owners shall be
40 responsible for maintenance of the private roads. Any declaration required by this section
41 shall be recorded in the land records.
42

43 17-6-111. Open space; recreation area; open area.
44

45 (c) Required recreation area generally. Unless the Planning and Zoning Officer
46 under subsection (g) requires the developer to pay a fee in lieu of recreation area, a single-
47 family detached, townhouse, semi-detached, or duplex subdivision that provides open
1 space under subsection (b) shall have at least 1,000 square feet of recreation area for each
2 dwelling unit. A multifamily subdivision that provides open space under subsection (b)
3 shall dedicate and use 20% of the gross area of the site as recreation area. At least 50% of
4 the required recreation area shall be reserved for active recreation, such as SHARED-USE
5 PATHS, tennis courts, swimming and boating areas, playgrounds, and playfields. The
6 remainder of the recreation area may be passive recreation area and may be encumbered
7 by forest conservation easements that permit minimal disturbance for trails, stormwater
8 management areas, or environmentally sensitive areas.
9



10 (d) **Open area and required recreation area for certain multifamily**
11 **dwelling. A**

12 multifamily dwelling that has not provided an open space lot under subsection (b) shall
13 have 45% of the gross area of the site as open area and 20% of the gross area of the site as
14 recreation area. At least 50% of the required recreation area shall be reserved for active
15 recreation, such as SHARED-USE PATHS, tennis courts, swimming and boating areas,
16 playgrounds, and playfields.

17 (e) **Characteristics of recreation area generally.** Recreation area shall be designed to
18 demonstrate ADA accessibility to the maximum extent practicable, and may not include
19 parking lot islands, transmission line easements, or strips with a width of less than 20 feet,
20 OTHER THAN SHARED-USE PATHS.

21
22 (h) **Characteristics of active recreation area.** Recreation area to be used for active
23 recreation may not include wetlands or stream buffers, floodplains, forest conservation
24 easements, stormwater management or drainage facility easements, inlets, outfalls,
25 stormwater management credit areas, or slopes over five percent. Recreation area shall:
26

27 (1) be integrated into the subdivision design to create focal points along roads and
28 at entrances;
29

30 (2) be square or rectangular in shape, to the extent practical, and suitable for
31 recreation uses, such as tot lots, ball fields, and courts, or for recreation in formal parks and
32 squares;

33
34 (3) have at least 20 feet of frontage on a public or private road;
35

36 (4) be centrally located among the lots it serves; [and]
37

38 (5) be equitably distributed into two areas if the subdivision or site contains at least
39 50 residential lots or the site contains at least 50 residential units[.]; AND
40

41 (6) MAY INCLUDE SHARED-USE PATHS, WHICH ARE NOT SUBJECT TO THE
42 RESTRICTIONS SET FORTH IN PARAGRAPHS (1) THROUGH (5) OF THIS SUBSECTION. 43

44 (J) **Design of bikeways and shared-use paths.** BIKEWAYS AND SHARED-USE PATHS
45 SHALL BE DESIGNED TO BE ~~AVAILABLE~~ AVAILABLE FOR USE BY ALL LOT OR UNIT OWNERS IN
46 THE
SUBDIVISION AND IN ACCORDANCE WITH THE DESIGN MANUAL. SHARED-USE PATHS



47 PROVIDED AS ACTIVE RECREATION AREA MAY ONLY BE CONSIDERED
AS COMPLYING
48 WITH ALL OR PART OF THE REQUIREMENTS OF § 17-6-113 IF THE SHARED-USE PATHS
49 SUPPORT THE OBJECTIVES OF BICYCLE, PEDESTRIAN , AND TRANSIT INFRASTRUCTURE
50 AND CONNECTIVITY TO EXISTING , PLANNED , OR FUTURE OFFSITE INFRASTRUCTURE, AND
I IF THE SHARED-USE PATHS ARE PLACED IN A PUBLIC EASEMENT OR PUBLIC RIGHT-OF-
WAY.

4 17-6-113. **Bicycle, Pedestrian and Transit Infrastructure.**

6 (A) **Purpose.** EACH SUBDIVISION OR DEVELOPMENT SHALL BE DESIGNED TO PROVIDE
7 INTERCONNECTIONS TO PROMOTE THE CIRCULATION AND FLOW OF BICYCLES AND
8 PEDESTRIANS BETWEEN DEVELOPMENTS AND EXISTING USES AND TO INCORPORATE
9 BICYCLE, PEDESTRIAN , AND TRANSIT INFRASTRUCTURE , SUCH AS CONNECTABLE PUBLIC
10 SIDEWALKS, CROSSWALKS, BIKEWAYS, SHARED-USE PATHS, AND TRANSIT STOPS OR
11 TRANSIT STATIONS TO FACILITATE THE USE OF PEDESTRIAN TRANSPORTATION , BICYCLE
12 TRANSPORTATION, AND PUBLIC TRANSIT.
13

14 (B) **Requirements.**

16 (1) IN ADDITION TO ANY OTHER DESIGN REQUIREMENTS OF THIS CODE, EACH
17 DEVELOPMENT OR SUBDIVISION SHALL PROVIDE PUBLIC ON- OR OFF-SITE BICYCLE,
18 PEDESTRIAN, OR TRANSIT INFRASTRUCTURE , THAT CONNECTS TO OR EXPANDS THE
19 EXISTING, PLANNED, OR FUTURE PUBLIC BICYCLE, PEDESTRIAN, OR TRANSIT
20 INFRASTRUCTURE . THE DEVELOPER SHALL PROVIDE THE BICYCLE, PEDESTRIAN , AND
21 TRANSIT INFRASTRUCTURE IMPROVEMENTS IN ACCORDANCE WITH THE APPROVED
22 BICYCLE PEDESTRIAN AND TRANSIT ASSESSMENT .
23

24 (2) THE DEVELOPER MAY ACQUIRE PROPERTY NOT ALREADY OWNED BY THE
25 DEVELOPER TO BE DEDICATED FOR PUBLIC USE TO IMPLEMENT THE REQUIREMENTS OF
26 THIS SECTION.
27

28 (C) **Plans and guidelines.**

30 (1) A TRANSPORTATION FUNCTIONAL MASTER PLAN SHALL BE PREPARED BY THE
31 OFFICE OF TRANSPORTATION, IN CONJUNCTION WITH OTHER APPROVING AGENCIES, NO
32 LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF BILL 78-18. 33

34 (2) BICYCLE, PEDESTRIAN , AND TRANSIT ASSESSMENT GUIDELINES SHALL BE
35 PREPARED BY THE OFFICE OF TRANSPORTATION, IN CONJUNCTION WITH OTHER
36 APPROVING AGENCIES, NO LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF BILL 78- 37
18.

39 (D) **Limit.** THE COST TO THE DEVELOPER FOR DESIGN AND CONSTRUCTION OF PUBLIC
40 BICYCLE , PEDESTRIAN, AND TRANSIT INFRASTRUCTURE REQUIRED UNDER THIS SECTION
41 MAY NOT BE REQUIRED TO EXCEED THE AMOUNT OF THE BICYCLE, PEDESTRIAN, AND
42 TRANSIT FEE-IN-LIEU THAT WOULD BE DUE FOR THE SUBDIVISION OR DEVELOPMENT 43
UNDER § 17-11-101.

44 (E) **Fee-in-Lieu.**

47 (1) **Authorized.** UPON A FINDING BY THE PLANNING AND ZONING OFFICER THAT,
48 DUE TO SPECIFIC EXISTING SITE CONDITIONS, CONSTRUCTION OF CONNECTABLE PUBLIC
49 SIDEWALKS, BIKEWAYS, SHARED-USE PATHS, OR TRANSIT STOPS, AS REQUIRED BY THIS
50 SECTION, THAT WOULD FACILITATE CONNECTIONS OR ACCESSIBILITY TO NEARBY
51 BICYCLE, PEDESTRIAN, OR TRANSIT INFRASTRUCTURE CANNOT REASONABLY BE
52 ACCOMPLISHED WITHIN THE COST LIMITS OF THIS SECTION, OR WHERE A DEVELOPMENT



53 IS EXEMPT FROM PROVIDING A BICYCLE, PEDESTRIAN, AND TRANSIT
ASSESSMENT UNDER
54 THIS ARTICLE, A DEVELOPER MAY PAY A FEE-IN-LIEU IN THE AMOUNT PROVIDED IN § 17-
55 11-101 FOR BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE. THE BICYCLE,
56 PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU FUND SHALL BE ESTABLISHED
57 BY THE OFFICE OF TRANSPORTATION NO LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF
BILL 78-18, AND SHALL BE ADMINISTERED BY THAT OFFICE. A FEE-IN-LIEU SHALL

2 BE PAID INTO THE BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU
3 FUND PRIOR TO THE ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT WHEN A
4 GRADING PERMIT IS NOT REQUIRED. 5

6 (2) Use of funds. FUNDS IN THE BICYCLE, PEDESTRIAN, AND TRANSIT
7 INFRASTRUCTURE FEE-IN-LIEU FUND MAY ONLY BE UTILIZED FOR THE DESIGN AND
8 CONSTRUCTION COSTS ASSOCIATED WITH EXPANDING EXISTING BICYCLE, PEDESTRIAN,
9 AND TRANSIT INFRASTRUCTURE, OR CREATING NEW BICYCLE, PEDESTRIAN, AND TRANSIT I O
INFRASTRUCTURE. THE DIRECTOR OF THE OFFICE OF TRANSPORTATION MAY APPROVE A
11 REQUEST TO USE FUNDS FROM THE BICYCLE, PEDESTRIAN, AND TRANSIT
12 INFRASTRUCTURE FEE-IN-LIEU FUND TO EXPAND EXISTING OR CREATE NEW BICYCLE,
13 PEDESTRIAN OR TRANSIT INFRASTRUCTURE.
14

15 (F) Design requirements. THE DESIGN OF FACILITIES FOR BICYCLISTS AND
16 PEDESTRIANS SHALL BE IN ACCORDANCE WITH THOSE PROVIDED IN THE DESIGN
17 MANUAL, OR, IN THE ABSENCE OF INFORMATION IN THE DESIGN MANUAL, GUIDANCE
18 FROM GENERALLY RECOGNIZED AND COMMONLY USED TRANSPORTATION ENGINEERING
19 AND PLANNING STANDARDS INCLUDING GUIDANCE FROM THE FEDERAL HIGHWAY
20 ADMINISTRATION (FHWA), THE MARYLAND DEPARTMENT OF TRANSPORTATION (MDOT),
21 THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
22 (AASHTO), THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE), AND THE NATIONAL
23 ASSOCIATION OF CITY TRANSPORTATION OFFICIALS (NACTO). 24

25 (G) Applicability. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL
26 DEVELOPMENT SUBJECT TO THIS ARTICLE, INCLUDING DEVELOPMENT IN THE ODENTON
27 GROWTH MANAGEMENT AREA, THE PAROLE TOWN CENTER, AND THE GLEN BURNIE TOWN
28 CENTER.

30 TITLE 11. FEES AND SECURITY

32 17-11-101. Fees and security.

34 The following fees shall be paid and security given as provided in the following chart,
35 except that fees paid on an application governed by the law as it existed prior to May 12,
36 2005 shall be credited against the fees in the following chart if the application is withdrawn
37 and a new application is filed under this article:

<u>Category</u>	<u>Fee or Security</u>
***	***
Amended record plat	\$350
BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, RESIDENTIAL	\$330 PER RESIDENTIAL DWELLING UNIT
BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, NON-	\$0.40 PER SQUARE FOOT OF ENCLOSED SPACE



RESIDENTIAL, <u>GGMPRISR-IG</u> l:,eSS +HA'.11.1 5,QQQ	
SQUA'.IE Fee+ GF eNGWSeD SPAGe, OTHER THAN WAREHOUSES	
BICYCLE, PEDESTRIAN , AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU , NON- RESIDENTIAL, WAREHOUSES GGMPRISIJI.JG	\$0.1 1 PER SQUARE FOOT OF ENCLOSED SPACE
l:,eSS THJ\ >1 15,QQQ SQUARE Fee+ GF eJl.IGI:,GSeD SPA:Ge	

38



1 SECTION 3. *And be it further enacted*, That this Ordinance shall apply only
2 prospectively and shall not apply to any application for sketch plan approval, final plan
3 approval, preliminary plan approval, site development plan approval, or for approval of a
4 building or grading permit associated with a site development plan or subdivision, that is
5 filed on or before, or that has received sketch or preliminary plan approval on or before
6 January 1, 2019.
7

8 SECTION 4. *And be ~~it further~~ further enacted*, That all references in this Ordinance to
"the

9 effective date of Bill No. 78-18", or words to that effect, shall, upon codification, be

10 replaced with the actual date on which this Ordinance takes effect under Section 307 of the

11 County Charter as certified by the Administrative Officer to the County Council.

13 SECTION 5. *And be ~~it further~~ further enacted*, That this Ordinance shall take effect
December

14 1, 2018.

AMENDMENT ADOPTED : September 17, 2018

READ AND PASSED this 1st day of October, 2018

By Order:

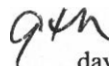


JoAnne Gray
Administrative Officer

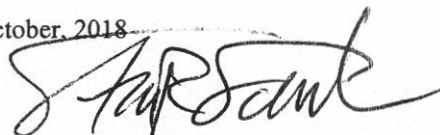
PRESENTED to the County Executive for his approval this 2nd day of October, 2018



Administrative Officer



day of October, 2018



this

APPROVED AND ENACTED



Steven R. Schuh County
Executive

NOV 23 2018

EFFECTIVE DATE:



I HEREBY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF Bill NO. 78 - 1§
.THE ORIGINAL OF WHICH IS RETAINED
IN THE FILES

Of THE COUNTY

COUNCIL



JoAnne Gray

Administrative Officer



APPENDIX F

Bicycle, Pedestrian, Transit Assessment (BPTA) Scoping Agreement



Anne Arundel County
Office of Transportation

Date of Scoping Meeting: _____

Based on the results of the scoping meeting/discussion with the Office of Transportation (OOT), the applicant shall prepare and sign this scoping agreement and submit it to the review staff in OOT for approval and signature. Upon approval, OOT staff will return the agreement to the applicant who should include it in the BPTA submittal package.

1. Subdivision/PP/SDP Name:
2. Subdivision/PP/SDP/Modification Number:
3. Consultant Name and Contact Information:
4. Gross square feet of non-residential (except warehouses):
5. Gross square feet of non-residential warehouses:
6. Number of dwelling units:
7. Total cost cap for proposed BPT facilities per Section 17-6-113.
8. Potential BPT trip generators/destinations near the subject site.
9. Are any CIP, PBMP, or existing or planned trail projects near the site?
9. What is the proposed BPT intended to meet Section 17-6-113?

SIGNED: _____
Applicant/Consultant Printed

_____ Date: _____
Applicant/Consultant Signature

APPROVED: _____ Date: _____
OOT Reviewer

T:\Programs\DEVELOPMENT REVIEW\BPTA\Review Guidelines\BPTA Scoping Agreement.docx

