



## ANNE ARUNDEL COUNTY OFFICE OF LAW

### Legislative Summary

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Deputy County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** November 6, 2023

**Subject:** Bill No. 86-23 – Subdivision and Development – Zoning – Development Requirements for Particular Types of Development – Redevelopment

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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. 86-23.

### Background

Except for redevelopment in the Glen Burnie Sustainable Community Overlay Area, redevelopment on real property in the County is generally treated the same as initial development of real property. In 2020 and 2021, provisions were added to Articles 17 and 18 of the County Code that specifically relate to redevelopment in the Glen Burnie Sustainable Community Overlay Area. See, Article 18, Title 14, Subtitle 6, and Article 17, Title 7, Subtitle 3.

### Purpose

The purpose of the bill is to add provisions to the Code that apply to redevelopment in Critical Economic Policy Areas, Critical Corridor Policy Areas, Town Center Policy Areas, and Transit-Oriented Overlay Policy Areas, as designated in Plan2040, and that are optional in Commercial Revitalization Areas throughout the County.

### Bill No. 86-23

#### SECTION 1

**Section 17-7-301** is modified to allow a developer to proceed under the new Subtitle 12 (“Redevelopment”) in the Glen Burnie Sustainable Community Overlay Area if the impervious area of the redevelopment site exceeds 40% of the total area of the site.

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

**Article 17, Title 7, Subtitle 12, “Redevelopment” is new.**

**Section 17-7-1201** defines terms used in the Subtitle, including “redevelopment”.

**Section 17-7-1202** provides that the Subtitle applies to redevelopment in Critical Economic Policy Areas, Critical Corridor Policy Areas, Town Center Policy Areas, and Transit-Oriented Overlay Policy Areas, as designated in Plan2040. The subtitle is optional in Commercial Revitalization Areas. The subtitle supersedes any requirements for redevelopment in Article 17 or 18, except for those applicable to the Glen Burnie Sustainable Community Overlay Area and the Critical Area.

**Section 17-7-1203** sets forth the process for a pre-application meeting with the Office of Planning and Zoning (“OPZ”) and the Department of Inspections and Permits (“I & P”), at which a developer provides a concept plan for the redevelopment and receives feedback on conservation strategies and stormwater management practices. After the pre-application meeting, the developer is required to file an application for redevelopment that satisfies a checklist provided by OPZ. If a meeting would be required under § 17-2-107, then the developer is required to hold a community meeting within 45 days after filing the application. The meeting must be recorded, may be virtual or in-person or a combination of both, must be at an ADA accessible location within 5 miles of the redevelopment site, and must begin on a weeknight between 6 p.m. and 8 p.m. At least 21 days prior to the meeting, the developer is required to give notice of the meeting to all lot owners within 300 feet of a property line of the redevelopment site, homeowners’ associations of any community within 300 feet of a property line of the redevelopment site, OPZ, the County Executive, and Councilmembers for districts in which the site is located.

**Section 17-7-1204** provides that a redevelopment application for subdivision or site development may proceed directly to final plan or site development plan.

**Section 17-7-1205** addresses modifications for certain aspects of redevelopment applications. In granting a modification, the Planning and Zoning Officer must make findings in writing that the modification satisfies criteria specified in § 17-7-1205(b)(2). The Planning and Zoning Officer may impose conditions on the modification. The section also provides that certain requirements may be waived without modification under certain circumstances.

Modifications of forest conservation requirements under Article 17, Title 6, Subtitle 3 are required to comply with § 17-2-108. A modification may not be granted to allow a use that is not otherwise allowed in the underlying zoning district.

**Section 17-2-1206** addresses open space, recreation area, open area, landscaping, and natural feature requirements for redevelopment. The developer must comply with open space, recreation area, open area, and landscaping requirements unless the Planning and Zoning Officer approves an alternative proposal due to practical difficulty or unnecessary hardship. Natural features and areas subject to preservation or conservation are required to remain undisturbed.

**Section 17-7-1207** provides that redevelopment in the critical area must comply with provisions of the County Code addressing development in the critical area.

**Section 17-7-1208** provides for modified requirements to pass adequate public facility testing for road facilities and school facilities. All other public facilities must pass testing in accordance with Article 17, Title 5.

**Section 17-11-102** provides that, for redevelopment, fees for applications for a sketch plan, preliminary plan, site development plan, final plan, grading permit, and building permit are reduced by 50%.

**Section 18-10-125** amends the conditional use provisions for multifamily dwellings in commercial districts to allow for increased density for redevelopment in commercial districts in the critical economic, critical corridor, or transit oriented development policy areas. It also eliminates the requirement for inclusion of commercial uses in redevelopment in those policy areas.

## **SECTION 2**

This section provides that the Ordinance takes effect 45 days from the date that it becomes law.

The Office of Law is available to answer any additional questions regarding Bill No. 86-23. Thank you.

cc: Honorable Steuart Pittman, County Executive  
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