

PROPOSED

AMENDED
December 4 and 18, 2023

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 19

Bill No. 86-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, November 6, 2023

Introduced and first read on November 6, 2023
Public Hearing set for and held on December 4, 2023
Public Hearing on AMENDED bill set for and held on December 18, 2023
Public Hearing on SECOND AMENDED bill set for January 2, 2024
Bill Expires February 9, 2024

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Zoning – Development
2 Requirements for Particular Types of Development – Redevelopment
3

4 FOR the purpose of adding development requirements for redevelopment; establishing the
5 applicability of new development requirements for redevelopment under certain
6 circumstances to specified policy areas; defining certain terms; setting forth
7 requirements for a concept plan, an application, community meetings, and notice of
8 community meetings for redevelopment; providing that certain applications for
9 development may proceed to final plan or site development plan; providing for certain
10 modifications and exemptions from modifications for redevelopment under certain
11 circumstances; specifying open space, landscape, and natural features requirements for
12 redevelopment; requiring redevelopment in the critical area to comply with applicable
13 law; establishing requirements for redevelopment to pass adequate public facilities
14 testing; reducing certain fees for redevelopment; adding multifamily dwellings as a
15 conditional use and providing for the conditions in the C4 district; adding townhouse
16 dwellings in a redevelopment project as a conditional use in commercial districts and
17 providing for the conditions; modifying conditional use requirements for multifamily
18 dwellings in redevelopment; and generally relating to subdivision and development,
19 and zoning.

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.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment

1 BY adding: §§ 17-7-301(c); 17-7-1201 through 17-7-1208 to be under the new subtitle
2 “Subtitle 12. Redevelopment”; ~~and~~ 17-11-102(c); and 18-10-126(6)
3 Anne Arundel County Code (2005, as amended)

4
5 BY repealing and reenacting, with amendments: §§ 18-5-102; ~~and~~ 18-10-125(1) and (2);
6 and 18-10-126(1)
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:

11
12 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

13
14 **TITLE 7. DEVELOPMENT REQUIREMENTS FOR PARTICULAR TYPES OF**
15 **DEVELOPMENT**

16
17 **17-7-301. Applicability; conflict with other laws.**

18
19 (C) **Option.** A DEVELOPER PROCEEDING UNDER THIS SUBTITLE MAY UTILIZE THE
20 PROVISIONS OF SUBTITLE 12 IN ADDITION TO OR IN LIEU OF THE PROVISIONS OF THIS
21 SUBTITLE AND SUBTITLE 6 OF TITLE 14 OF ARTICLE 18 OF THIS CODE IF THE EXISTING
22 IMPERVIOUS AREA OF THE REDEVELOPMENT SITE EXCEEDS 40% OF THE TOTAL AREA OF
23 THE SITE.

24
25 **SUBTITLE 12. REDEVELOPMENT**

26
27 **17-7-1201. Definitions.**

28
29 IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

30
31 (1) “REDEVELOPMENT” MEANS:

32
33 (I) SUBSTANTIAL IMPROVEMENT OF AN EXISTING STRUCTURE THAT DOES NOT
34 INCREASE THE EXISTING IMPERVIOUS AREA OF THE SITE; OR

35
36 (II) NEW CONSTRUCTION ON A LOT, OR ON CONTIGUOUS LOTS THAT DOES NOT
37 INCREASE THE EXISTING IMPERVIOUS AREA OF THE SITE WHEN ONE OR MORE OF THE
38 LOTS:

39
40 1. HAS OR HAD PRE-EXISTING STRUCTURES, USES, OR PAVED PARKING; AND

41
42 2. A. THE EXISTING IMPERVIOUS AREA OF THE SITE EXCEEDS 40% OF THE
43 TOTAL AREA OF THE SITE;

44
45 B. THE SITE IS SUBJECT TO A RECLAMATION PLAN UNDER STATE OR
46 FEDERAL REQUIREMENTS; OR

47
48 C. THE SITE IS SUBJECT TO ENVIRONMENTAL REMEDIATION UNDER
49 STATE OR FEDERAL REQUIREMENTS.

50
51 (2) (I) “SUBSTANTIAL IMPROVEMENT” MEANS ANY RECONSTRUCTION,
52 REHABILITATION, ADDITION, OR OTHER IMPROVEMENT TO A STRUCTURE, THE COST OF
53 WHICH EQUALS OR EXCEEDS 50% OF THE STATE’S ASSESSED VALUE OF THE STRUCTURE
54 BEFORE COMMENCEMENT OF THE RECONSTRUCTION, REHABILITATION, ADDITION, OR

1 OTHER IMPROVEMENT OR, IF THE STRUCTURE HAS BEEN DAMAGED AND IS BEING
2 RESTORED, BEFORE THE DAMAGE OCCURRED.

3
4 (II) "SUBSTANTIAL IMPROVEMENT" DOES NOT MEAN REPAIRS NEEDED TO
5 CORRECT VIOLATIONS OF STATE OR COUNTY HEALTH, SAFETY, OR SANITARY CODES.

6
7 (3) "TOTAL AREA OF THE SITE" AS USED IN SUBSECTION (1) MEANS THE AREA OF
8 THE SITE LESS ANY AREA SUBJECT TO PRESERVATION OR CONSERVATION EASEMENT,
9 AND LESS THE AREA OF NATURAL FEATURES AND THEIR ASSOCIATED BUFFERS.

10
11 **17-7-1202. Applicability.**

12
13 THIS SUBTITLE APPLIES TO REDEVELOPMENT LOCATED IN A CRITICAL ECONOMIC
14 POLICY AREA, A CRITICAL CORRIDOR POLICY AREA, A TOWN CENTER POLICY AREA, OR A
15 TRANSIT-ORIENTED OVERLAY POLICY AREA, ALL AS DESIGNATED IN THE GENERAL
16 DEVELOPMENT PLAN, OR IN A COMMERCIAL REVITALIZATION AREA IF THE DEVELOPER
17 ELECTS TO DEVELOP UNDER THIS SUBTITLE. FOR DEVELOPMENT PROCEEDING UNDER
18 THIS SUBTITLE, THE PROVISIONS OF THIS SUBTITLE SHALL SUPERSEDE ANY
19 REQUIREMENTS FOR REDEVELOPMENT IN THIS ARTICLE, EXCEPT TITLE 8, OR ARTICLE 18
20 OF THIS CODE, EXCEPT TITLE 13 AND SUBTITLE 6 OF TITLE 14.

21
22 **17-7-1203. Notice; application; meetings.**

23
24 (A) **Concept plan; pre-application meeting.** PRIOR TO SUBMITTING AN APPLICATION
25 FOR REDEVELOPMENT, THE APPLICANT SHALL PROVIDE A CONCEPT PLAN THAT MEETS
26 THE REQUIREMENTS OF THE REDEVELOPMENT CONCEPT PLAN CHECKLIST PROVIDED BY
27 THE OFFICE OF PLANNING AND ZONING AND SHALL SCHEDULE AND ATTEND A PRE-
28 APPLICATION MEETING WITH THE OFFICE OF PLANNING AND ZONING AND THE
29 DEPARTMENT OF INSPECTIONS AND PERMITS TO REVIEW AND OBTAIN FEEDBACK ON
30 CONSERVATION STRATEGIES AND THE LOCATION AND FUNCTION OF STORMWATER
31 MANAGEMENT PRACTICES.

32
33 (B) **Application.** AN APPLICATION FOR REDEVELOPMENT ~~MUST BE IN ACCORDANCE~~
34 ~~WITH~~ ACKNOWLEDGE THE FEEDBACK PROVIDED AT THE PRE-APPLICATION MEETING,
35 AND MUST SATISFY THE REDEVELOPMENT APPLICATION CHECKLIST PROVIDED BY THE
36 OFFICE OF PLANNING AND ZONING.

37
38 (C) **Community meeting.** IF A COMMUNITY MEETING WOULD BE REQUIRED UNDER
39 § 17-2-107, THEN ~~WITHIN 45 DAYS AFTER THE SUBMISSION OF AN APPLICATION IN THE SIX-~~
40 ~~MONTH PERIOD BEFORE THE SUBMISSION OF A CONCEPT PLAN PURSUANT TO SUBSECTION~~
41 ~~(A)~~ FOR REDEVELOPMENT UNDER THIS SUBTITLE, THE DEVELOPER SHALL HOLD A
42 COMMUNITY MEETING FOR THE PURPOSE OF PRESENTING INFORMATION REGARDING THE
43 PROPOSED REDEVELOPMENT AND ALLOWING THE COMMUNITY TO ASK QUESTIONS AND
44 PROVIDE COMMENTS. THE DEVELOPER SHALL RECORD OR CAUSE TO BE RECORDED, BY
45 AUDIO OR AUDIO-VISUAL MEANS, THE PROCEEDINGS OF EACH COMMUNITY MEETING
46 AND, PROMPTLY AFTER THE MEETING, SHALL PROVIDE A COPY OF THE RECORDING TO
47 THE OFFICE OF PLANNING AND ZONING. THE MEETING MAY BE HELD VIRTUALLY, IN-
48 PERSON, OR A COMBINATION OF AND VIRTUAL AND IN-PERSON PARTICIPATION. ANY IN-
49 PERSON PORTION OF A MEETING SHALL BE HELD IN THE COUNTY AT AN ADA ACCESSIBLE
50 FACILITY LOCATED WITHIN FIVE MILES OF THE PROPOSED DEVELOPMENT SITE. MEETINGS
51 SHALL BE SCHEDULED ON A DAY BETWEEN MONDAY THROUGH THURSDAY, BEGINNING
52 BETWEEN THE HOURS OF 6:00 P.M. AND 8:00 P.M. IF THE PLANNING AND ZONING OFFICER
53 DETERMINES THAT THE FIVE MILE RESTRICTION IS IMPRACTICABLE, THEN THE IN-PERSON
54 MEETING SHALL BE HELD AT A LOCATION AS MAY BE AUTHORIZED BY THE PLANNING
55 AND ZONING OFFICER IN WRITING.

1 (D) **Notice.**

2
3 (1) AT LEAST 21 DAYS PRIOR TO A COMMUNITY MEETING, THE APPLICANT SHALL
4 GIVE NOTICE, BY FIRST CLASS MAIL, OF THE MEETING TO: ALL LOT OWNERS WITHIN 300
5 FEET OF THE PROPERTY SUBJECT TO THE APPLICATION; THE PRESIDENT OF ANY
6 COMMUNITY OR HOMEOWNERS' ASSOCIATION OF ANY SUBDIVISION THAT IS LOCATED
7 WITHIN 300 FEET OF THE PROPERTY SUBJECT TO THE APPLICATION THAT IS ON THE LIST
8 OF COMMUNITY ASSOCIATIONS, PERSONS, AND ORGANIZATIONS MAINTAINED IN THE
9 OFFICE OF THE COUNTY EXECUTIVE; THE OFFICE OF PLANNING AND ZONING; THE COUNTY
10 EXECUTIVE OR THE COUNTY EXECUTIVE'S DESIGNEE; AND THE COUNCILMEMBERS OF
11 THE COUNCILMANIC DISTRICTS IN WHICH THE PROPERTY SUBJECT TO THE APPLICATION
12 IS LOCATED AND ANY COUNCILMANIC DISTRICT IT ABUTS.

13
14 (2) THE NOTICE SHALL INCLUDE A DESCRIPTION OF THE PLANNED
15 REDEVELOPMENT, AS WELL AS COPY OF OR AN ONLINE LINK TO THE CONCEPT PLAN FOR
16 THE REDEVELOPMENT REQUIRED UNDER SUBSECTION (A).

17
18 **17-7-1204. Subdivision and site development.**

19
20 A REDEVELOPMENT APPLICATION FOR SUBDIVISION OR SITE DEVELOPMENT MAY
21 PROCEED DIRECTLY TO A FINAL PLAN OR A SITE DEVELOPMENT PLAN.

22
23 **17-7-1205. Redevelopment modifications.**

24
25 (A) **Applicability.** THIS SECTION DOES NOT APPLY TO MODIFICATIONS OF THE
26 REQUIREMENTS OF SUBTITLE 3 OF TITLE 6, WHICH SHALL BE SUBJECT TO THE
27 MODIFICATION PROCEDURES SET FORTH IN § 17-2-108.

28
29 (B) **Generally.**

30
31 (1) SUBJECT TO PARAGRAPH (2), FOR A REDEVELOPMENT APPLICATION, THE
32 PLANNING AND ZONING OFFICER MAY APPROVE AN APPLICATION FOR A MODIFICATION
33 TO:

34
35 (I) ANY PROVISION OF THIS ARTICLE OR ARTICLE 18 OF THIS CODE OTHER THAN
36 § 17-2-107, § 18-2-106, TITLES 5, 8, OR 9 OF THIS ARTICLE, AND TITLE 13 OF ARTICLE 18 OF
37 THIS CODE, EXCEPT AS ALLOWED BY §§ 17-5-203(B), 17-5-205(B), 17-8-201(B), 17-8-203(C), 17-
38 8-403, 17-8-601(B)(2), 17-8-601(C), 17-8-901, AND 17-9-401; AND

39
40 (II) ANY APPLICABLE REGULATIONS, MANUALS, OR SPECIFICATIONS,
41 INCLUDING THE DPW DESIGN MANUAL AND THE LANDSCAPE MANUAL.

42
43 (2) WHEN APPROVING A MODIFICATION REQUEST UNDER PARAGRAPH (1), THE
44 PLANNING AND ZONING OFFICER SHALL MAKE SPECIFIC FINDINGS, ENUMERATED IN
45 WRITING THAT THE MODIFICATION REQUEST SATISFIES THE FOLLOWING CRITERIA:

46
47 (I) THE MODIFICATION IS NOT DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY,
48 OR WELFARE;

49
50 (II) THE MODIFICATION IS NOT INJURIOUS TO OTHER PROPERTIES;

51
52 (III) THE MODIFICATION DOES NOT HAVE THE EFFECT OF NULLIFYING THE
53 INTENT AND PURPOSE OF THIS ARTICLE, ARTICLE 18 OF THIS CODE, OR THE GENERAL
54 DEVELOPMENT PLAN; AND

55
56 (IV) THE APPLICANT HAS SUBMITTED WRITTEN VERIFICATION TO THE OFFICE
57 OF PLANNING AND ZONING THAT A NOTICE WITH A COPY OF THE REQUEST FOR

1 MODIFICATION WAS MAILED TO: ALL LOT OWNERS WITHIN 300 FEET OF THE PROPERTY
2 SUBJECT TO THE APPLICATION; THE PRESIDENT OF ANY COMMUNITY OR HOMEOWNERS'
3 ASSOCIATION OF ANY SUBDIVISION THAT IS LOCATED WITHIN 300 FEET OF ANY
4 BOUNDARY OF THE PROPERTY SUBJECT TO THE APPLICATION THAT IS ON THE LIST OF
5 COMMUNITY ASSOCIATIONS, PERSONS, AND ORGANIZATIONS MAINTAINED IN THE OFFICE
6 OF THE COUNTY EXECUTIVE.

7
8 **(C) Modification not required.**

9
10 (1) AT THE DISCRETION OF THE PLANNING AND ZONING OFFICER, DEMOLITION OF
11 EXISTING STRUCTURES MAY PROCEED UPON ISSUANCE OF A PERMIT WITHOUT A
12 MODIFICATION TO THE SITE DEVELOPMENT PLAN REQUIREMENTS TO ABATE A
13 VIOLATION OF THIS CODE IN ACCORDANCE WITH A NOTICE OF VIOLATION OR TO PROTECT
14 THE PUBLIC HEALTH, SAFETY, OR WELFARE.

15
16 (2) THE REQUIREMENTS OF §§ 17-6-401 THROUGH 17-6-403 MAY BE WAIVED
17 WITHOUT A MODIFICATION TO THE EXTENT THAT THE EXISTING DEVELOPMENT ON THE
18 SITE IS LOCATED WITHIN THE NATURAL FEATURES OR BUFFERS PROTECTED BY THOSE
19 SECTIONS.

20
21 **(D) Uses.** NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A
22 MODIFICATION MAY NOT BE GRANTED TO ALLOW A USE THAT IS NOT A PERMITTED,
23 CONDITIONAL, OR SPECIAL EXCEPTION USE IN THE UNDERLYING ZONING DISTRICT
24 UNDER ANY PROVISION OF THIS CODE.

25
26 **(E) Conditions.** IN GRANTING A MODIFICATION, THE PLANNING AND ZONING OFFICER
27 MAY REQUIRE CONDITIONS TO SECURE THE OBJECTIVES OF THE PROVISION THAT IS BEING
28 MODIFIED.

29
30 **17-7-1206. Open space, recreation area, open area, landscaping, and natural features.**

31
32 **(A) Open space; recreation area; open area.** THE DEVELOPER SHALL COMPLY WITH
33 THE REQUIREMENTS OF § 17-6-111. IF THE DEVELOPER ESTABLISHES THAT THE
34 REQUIREMENTS CREATE A PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP FOR
35 REDEVELOPMENT, THE DEVELOPER MAY SUBMIT AN ALTERNATIVE PROPOSAL FOR OPEN
36 SPACE, RECREATION AREA, OR OPEN AREA, AND THE PLANNING AND ZONING OFFICER
37 MAY APPROVE THE ALTERNATIVE PROPOSAL ON THAT BASIS WITHOUT THE NEED FOR A
38 MODIFICATION.

39
40 **(B) Landscape plan.** THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF
41 § 17-6-202. IF THE DEVELOPER ESTABLISHES THAT THE REQUIREMENTS CREATE A
42 PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP FOR REDEVELOPMENT, THE
43 DEVELOPER MAY SUBMIT AN ALTERNATIVE LANDSCAPE PLAN, AND THE PLANNING AND
44 ZONING OFFICER MAY APPROVE THE ALTERNATIVE LANDSCAPE PLAN WITHOUT THE
45 NEED FOR A MODIFICATION.

46
47 ~~**(C) Natural features.** AREAS SUBJECT TO PRESERVATION OR CONSERVATION
48 EASEMENT AND NATURAL FEATURES AND THEIR ASSOCIATED BUFFERS SHALL REMAIN
49 UNDISTURBED TO THE MAXIMUM EXTENT PRACTICABLE.~~

50
51 **(C) Natural features.**

52
53 **(1) AREAS SUBJECT TO PRESERVATION OR CONSERVATION EASEMENT AND
54 NATURAL FEATURES AND THEIR ASSOCIATED BUFFERS SHALL REMAIN UNDISTURBED TO
55 THE MAXIMUM EXTENT PRACTICABLE.**

1 (2) IF A REDEVELOPMENT SITE CONTAINS NATURAL FEATURES AND ASSOCIATED
2 BUFFERS WITH IMPERVIOUS AREA THE IMPERVIOUS AREA SHALL BE REMOVED TO THE
3 MAXIMUM EXTENT PRACTICABLE DURING THE REDEVELOPMENT.
4

5 **17-7-1207. Redevelopment in the Critical Area.**

6
7 NOTWITHSTANDING ANY PROVISION OF THIS SUBTITLE, REDEVELOPMENT IN THE
8 CRITICAL AREA SHALL COMPLY WITH TITLE 8 OF THIS ARTICLE AND TITLE 13 OF ARTICLE
9 18 OF THIS CODE.
10

11 **17-7-1208. Adequate public facilities for redevelopment.**

12
13 **(A) Road facilities.**

14
15 (1) REDEVELOPMENT UNDER THIS SUBTITLE PASSES THE TEST FOR ADEQUATE
16 ROAD FACILITIES IF, IN THE SCHEDULED COMPLETION YEAR OF THE REDEVELOPMENT,
17 THE REDEVELOPMENT CREATES 250 OR FEWER NEW DAILY TRIPS, OR IF EACH
18 INTERSECTION FROM SITE ACCESS POINTS TO AND INCLUDING THE FIRST INTERSECTION
19 WITH AN ARTERIAL OR HIGHER CLASSIFICATION ROAD OPERATES WITH AN ACCEPTABLE
20 LEVEL OF SERVICE AS DEFINED IN § 17-5-401(A).
21

22 (2) A TRAFFIC IMPACT STUDY FOR REDEVELOPMENT UNDER THIS SUBTITLE MAY
23 TAKE INTO ACCOUNT THE MOST RECENT USE ON THE SITE THAT EXISTED WITHIN 10
24 YEARS PRIOR TO THE SUBMISSION OF THE TRAFFIC IMPACT STUDY. IF THE PROPERTY IS
25 VACANT AT THE TIME OF THE TRAFFIC IMPACT STUDY, THE APPLICANT SHALL PROVIDE
26 SUPPORTING INFORMATION TO DEMONSTRATE ASSUMPTIONS MADE REGARDING TRIP
27 GENERATION FROM THE PRIOR USE. IF THE PLANNING AND ZONING OFFICER DETERMINES
28 THAT THE SUPPORTING INFORMATION IS SUFFICIENT, THE TRIPS ASSUMED GENERATED
29 FROM PRIOR USE WILL BE CONSIDERED “BACKGROUND TRAFFIC” FOR PURPOSES OF THE
30 TRAFFIC IMPACT STUDY, AND ANY INCREASE IN TRIPS RESULTING FROM THE
31 REDEVELOPMENT USE WILL BE CONSIDERED TO BE “FUTURE TRAFFIC” FOR PURPOSES OF
32 THE TRAFFIC IMPACT STUDY.
33

34 **(B) School facilities.** REDEVELOPMENT UNDER THIS SUBTITLE PASSES THE TEST FOR
35 ADEQUATE SCHOOLS FACILITIES IF:

36 (1) THE REDEVELOPMENT CONSISTS OF MULTIFAMILY DWELLINGS, WITH AT
37 LEAST 50% OF THE DWELLING UNITS CONSISTING OF EFFICIENCY OR ONE-BEDROOM UNITS
38 AND NO DWELLING UNITS WITH MORE THAN TWO BEDROOMS; OR

39
40 (2) THE REDEVELOPMENT SATISFIES THE STANDARDS SET FORTH IN § 17-5-501(A).
41

42 **(C) Other facilities.** ALL OTHER FACILITIES SUBJECT TO TESTING FOR ADEQUACY
43 SHALL COMPLY WITH THE STANDARDS SET FORTH IN TITLE 5.
44

45 **TITLE 11. FEES AND SECURITY**

46
47 **17-11-102. Fee reduction.**

48
49 **(C) Redevelopment.** FEES FOR REDEVELOPMENT UNDER SUBTITLE 12 OF TITLE 7,
50 SHALL BE REDUCED BY 50% FOR AN APPLICATION FOR A SKETCH PLAN, PRELIMINARY
51 PLAN, SITE DEVELOPMENT PLAN, FINAL PLAN, GRADING PERMIT, AND BUILDING PERMIT.

ARTICLE 18. ZONING

TITLE 5. COMMERCIAL DISTRICTS

18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.

The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.

<u>Permitted, Conditional, Special Exception, and Business Complex Auxiliary Uses</u>	<u>C1</u>	<u>C2</u>	<u>C3</u>	<u>C4</u>

<u>Dwellings, multifamily</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Dwellings, townhouses</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-125. Dwellings, multifamily.

Multifamily dwellings shall comply with all of the following requirements.

(1) ~~[[Net]]~~ (I) EXCEPT AS PROVIDED IN PARAGRAPH (II), NET density may not exceed 12 units per acre in a C1 District, 22 units per acre in a C2 District, or 15 units per acre in a C3 District.

(II) FOR REDEVELOPMENT UNDER TITLE 7 OF ARTICLE 17 OF THIS CODE IN A CRITICAL ECONOMIC, CRITICAL CORRIDOR, OR TRANSIT ORIENTED DEVELOPMENT POLICY AREA, AS DEFINED IN THE COUNTY’S GENERAL DEVELOPMENT PLAN, NET DENSITY MAY NOT EXCEED 22 UNITS PER ACRE IN A COMMERCIAL DISTRICT.

(2) ~~[[The]]~~ (I) EXCEPT AS PROVIDED IN PARAGRAPH (II), THE development shall include commercial uses that equal at least 25% of the floor area in a C1 District~~[[,]]~~ AND 50% of the floor area in a C2 OR C3 District~~[[, and 50% of the floor area in a C3 District]]~~.

(II) FOR REDEVELOPMENT UNDER TITLE 7 OF ARTICLE 17 OF THIS CODE IN A CRITICAL ECONOMIC, CRITICAL CORRIDOR, OR TRANSIT ORIENTED DEVELOPMENT POLICY AREA, AS DEFINED IN THE COUNTY’S GENERAL DEVELOPMENT PLAN, NO COMMERCIAL USE IS REQUIRED IN ANY COMMERCIAL DISTRICT.

(3) IN A C4 DISTRICT, MULTIFAMILY DWELLINGS SHALL BE PERMITTED ONLY AS REDEVELOPMENT UNDER TITLE 7 OF ARTICLE 17 OF THIS CODE IN A CRITICAL ECONOMIC, CRITICAL CORRIDOR, OR TRANSIT ORIENTED DEVELOPMENT POLICY AREA, AS DEFINED IN THE COUNTY’S GENERAL DEVELOPMENT PLAN.

1
2
3
4
5
6
7
8

18-10-126. Dwellings, townhouses.

Townhouses shall comply with all of the following requirements.

(1) The bulk regulations contained in the following chart shall be met:

<u>Maximum net density – NOT IN A REDEVELOPMENT PROJECT UNDER ARTICLE 17, TITLE 7, SUBTITLE 12 IN A COMMERCIAL DISTRICT</u>	<u>C1 and C3, 5 units per acre and, in all other districts, in accordance with the requirements of the district in which the development is located</u>
<u>MAXIMUM NET DENSITY – IN A REDEVELOPMENT PROJECT UNDER ARTICLE 17, TITLE 7, SUBTITLE 12 IN A COMMERCIAL DISTRICT</u>	<u>C1 THROUGH C4, 22 UNITS PER ACRE</u>

9
10
11
12
13
14
15
16
17
18

(6) IN C2 AND C4 DISTRICTS, TOWNHOUSE DWELLINGS SHALL BE PERMITTED ONLY AS REDEVELOPMENT UNDER ARTICLE 17, TITLE 7, SUBTITLE 12 OF THIS CODE IN A CRITICAL ECONOMIC, CRITICAL CORRIDOR, OR TRANSIT ORIENTED DEVELOPMENT POLICY AREA, AS DEFINED IN THE COUNTY’S GENERAL DEVELOPMENT DISTRICT.

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