

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 5

Bill No. 20-24

Introduced by Ms. Pickard

By the County Council, March 4, 2024

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Introduced and first read on March 4, 2024  
Public Hearing set for April 1, 2024  
Bill Expires June 7, 2024

By Order: Laura Corby, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Mixed Use Districts – Requirements for  
2 Conditional Uses – BWI/Fort Meade Growth Area – Multifamily Residential Uses  
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4 FOR the purpose of allowing certain sites in the BWI/Fort Meade Growth Area to develop  
5 multifamily dwellings in place of nonresidential uses under certain conditions in mixed  
6 use and certain commercial zoning districts; establishing the conditions and density for  
7 multifamily development in place of certain commercial use requirements; and  
8 generally relating to zoning.  
9

10 BY repealing and reenacting, with amendments: §§ 18-8-302(d); and 18-10-125  
11 Anne Arundel County Code (2005, as amended)  
12

13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
14 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:  
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## ARTICLE 18. ZONING

### TITLE 8. MIXED USE DISTRICTS

#### 18-8-302. Combination of uses.

##### (d) When percentages may be modified.

24 (1) The Office of Planning and Zoning may modify the percentages listed in the  
25 chart if the site is affected by the airport noise zone, environmental remediation  
26 requirements, or is part of or an addition to an office complex that was in existence as

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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.

September 14, 2008 and is occupied primarily by tenants engaged in the national security industry.

(2) ON A SITE LOCATED IN THE BWI/FORT MEADE GROWTH AREA, AS SHOWN ON THE OFFICIAL MAP ADOPTED BY THE COUNTY COUNCIL ENTITLED "BWI/FORT MEADE GROWTH AREA, 2016", THE PERCENTAGES OF REQUIRED RETAIL AND SERVICE, OFFICE, OR INDUSTRIAL USES LISTED IN THE CHART MAY BE REPLACED WITH MULTIFAMILY DWELLINGS SUBJECT TO THE CONDITIONS AND DENSITY LIMITS SET FORTH IN § 18-10-125(3)(I) AND (II).

## **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

### **18-10-125. Dwellings, multifamily.**

Multifamily dwellings shall comply with all of the following requirements.

(1) ~~[[Net]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (3), 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.

(2) ~~[[The]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (3), THE development shall include commercial uses that equal at least 25% of the floor area in a C1 District, 50% of the floor area in a C2 District, and 50% of the floor area in a C3 District.

(3) IN A C3 DISTRICT, ON A SITE WITH 20 OR MORE DWELLING UNITS LOCATED IN THE BWI/FORT MEADE GROWTH AREA, AS SHOWN ON THE OFFICIAL MAP ADOPTED BY THE COUNTY COUNCIL, ENTITLED "BWI/FORT MEADE GROWTH AREA, 2016", THE COMMERCIAL USES REQUIRED UNDER PARAGRAPH 2 OF THIS SECTION MAY BE REPLACED WITH MULTIFAMILY DWELLINGS, SUBJECT TO THE FOLLOWING REQUIREMENTS:

(I) THE PROPERTY SHALL BE ENCUMBERED BY A RECORDED RESTRICTIVE COVENANT ENFORCEABLE BY THE COUNTY OR ITS DESIGNEE THAT SHALL:

1. REQUIRE THAT NOT LESS THAN 10% OF THE DWELLING UNITS BE SET ASIDE FOR OCCUPANCY BY A HOUSEHOLD WITH AN INCOME THAT DOES NOT EXCEED 80% OF THE MEDIAN INCOME ADJUSTED FOR HOUSEHOLD SIZE FOR THE BALTIMORE PRIMARY METROPOLITAN STATISTICAL AREA, AS DEFINED AND PUBLISHED ANNUALLY BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

2. RESTRICT THE OCCUPANCY OF THE UNITS SET ASIDE TO ELIGIBLE HOUSEHOLDS FOR AT LEAST 10 YEARS FOR HOME OWNERSHIP UNITS AND AT LEAST 30 YEARS FOR RENTAL UNITS; AND

(II) DENSITY IS LIMITED TO 44 DWELLING UNITS PER ACRE.

~~[[3]]~~ (4) If commercial uses are included within a multifamily dwelling, the dwelling units shall have entrances that are separate from the entrances to the commercial uses.

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