

PROPOSED

AMENDED
April 7, 2025

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2025, Legislative Day No. 4

Bill No. 18-25

Introduced by Ms. Hummer, Chair
(by request of the County Executive)

By the County Council, February 18, 2025

Introduced and first read on February 18, 2025
Public Hearing set for and held on March 17, 2025
Second Public Hearing set for and Motioned to defer vote until April 7, 2025
Public Hearing on AMENDED bill set for April 21, 2025
Bill Expires May 24, 2025

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Boards, Commissions, and Similar Bodies – Board of
2 Appeals – Zoning – Administrative Hearings – Mixed Use Districts
3

4 FOR the purpose of providing certain requirements for sector plans or studies before an
5 administrative rezoning of certain properties to a mixed use district; provide for the
6 grandfathering of certain applications for administrative rezoning to a mixed use
7 district; and generally relating to boards, commissions, and similar bodies, and zoning.
8

9 BY repealing and reenacting, with amendments: §§ 3-2-205(h)(2) and (i); and
10 18-16-303(c)(2) and (g)
11 Anne Arundel County Code (2005, as amended) (as amended by Bill Nos. 75-24 and
12 94-24)
13

14 BY adding: §§ 3-2-205(j) and 18-16-303(h)
15 Anne Arundel County Code (2005, as amended) (as amended by Bill Nos. 75-24 and
16 94-24)
17

18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
19 That Section(s) of the Anne Arundel County Code (2005, as amended) (as amended by Bill
20 Nos. 75-24 and 94-24) read as follows:

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 **ARTICLE 3. BOARDS, COMMISSIONS, AND SIMILAR BODIES**

2
3 **TITLE 2. BOARD OF APPEALS**

4
5 **SUBTITLE 2. ZONING APPEALS**

6
7 **3-2-205. Standards and procedures for granting or denying rezoning.**

8
9 **(h) Restrictions.**

10
11 (2) A lot that is not designated as a mixed use planned land use in the General
12 Development Plan or a region plan may not be administratively rezoned to a mixed use
13 district. If the General Development Plan or A region plan ADOPTED BETWEEN
14 JANUARY 1, 2025, AND DECEMBER 31, 2026, recommends a sector plan or study for a lot
15 designated as a mixed use planned land use, the lot may not be administratively rezoned to
16 a mixed use district unless the sector plan or study is completed and recommends a
17 rezoning to a mixed use district. IF A REGION PLAN ADOPTED BETWEEN MAY 6, 2024, AND
18 DECEMBER 31, 2024, DOES NOT RECOMMEND A SECTOR PLAN OR STUDY FOR A LOT
19 DESIGNATED AS A MIXED USE PLANNED LAND USE, A SECTOR PLAN OR STUDY SHALL BE
20 REQUIRED BEFORE AN ADMINISTRATIVE REZONING MAY BE CONSIDERED, AND THE LOT
21 MAY NOT BE ADMINISTRATIVELY REZONED TO A MIXED USE DISTRICT UNLESS THE
22 SECTOR PLAN OR STUDY IS COMPLETED AND RECOMMENDS A REZONING TO A MIXED USE
23 DISTRICT.

24
25 **(i) Mixed use designation prior to a certain date.** If a lot was not zoned as part of a
26 mixed use district in a comprehensive zoning ordinance adopted between May 6, 2024, and
27 December 31, ~~[[2025]]~~ 2026, and was designated as mixed use planned land use in a region
28 plan adopted between May 6, 2024, and December 31, ~~[[2025]]~~ 2026, the lot may be
29 administratively rezoned to a mixed use district IF THE REQUIREMENTS OF SUBSECTION
30 (H)(2) ARE MET. The designation of mixed use planned land use IN THE GENERAL
31 DEVELOPMENT PLAN OR A REGION PLAN AND A RECOMMENDATION OF REZONING TO A
32 MIXED USE DISTRICT IN A REQUIRED SECTOR PLAN OR STUDY shall satisfy the requirement
33 of subsection (a)(1).

34
35 **(J) Mixed use application prior to a certain date.** AN ADMINISTRATIVE REZONING TO
36 A MIXED USE DISTRICT FOR WHICH AN APPLICATION IS FILED UNDER ARTICLE 18, TITLE 16
37 BEFORE THE EFFECTIVE DATE OF BILL NO. 18-25 SHALL BE GOVERNED BY THE LAW AS IT
38 EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 18-25.

39
40 **ARTICLE 18. ZONING**

41
42 **TITLE 16. ADMINISTRATIVE HEARINGS**

43
44 **SUBTITLE 3. HEARING AND DECISION**

45
46 **18-16-303. Rezoning.**

47
48 **(c) Restrictions.**

1 (2) A lot not designated as a mixed use planned land use in the General
2 Development Plan or a region plan may not be administratively rezoned to a mixed use
3 district. If the General Development Plan or A region plan ADOPTED BETWEEN
4 JANUARY 1, 2025, AND DECEMBER 31, 2026, recommends a sector plan or study for a lot
5 designated as a mixed use planned land use, the lot may not be administratively rezoned to
6 a mixed use district unless the sector plan or study is completed and recommends a
7 rezoning to a mixed use district. IF A REGION PLAN ADOPTED BETWEEN MAY 6, 2024, AND
8 DECEMBER 31, 2024, DOES NOT RECOMMEND A SECTOR PLAN OR STUDY FOR A LOT
9 DESIGNATED AS A MIXED USE PLANNED LAND USE, A SECTOR PLAN OR STUDY SHALL BE
10 REQUIRED BEFORE AN ADMINISTRATIVE REZONING MAY BE CONSIDERED, AND THE LOT
11 MAY NOT BE ADMINISTRATIVELY REZONED TO A MIXED USE DISTRICT UNLESS THE
12 SECTOR PLAN OR STUDY IS COMPLETED AND RECOMMENDS A REZONING TO A MIXED USE
13 DISTRICT.

14
15 (g) **Mixed use designation prior to a certain date.** If a lot was not zoned as a mixed
16 use district in a comprehensive zoning ordinance adopted between May 6, 2024, and
17 December 31, ~~[[2025]]~~ 2026, and was designated as mixed use planned land use in a region
18 plan adopted between May 6, 2024, and December 31, ~~[[2025]]~~ 2026, the lot may be
19 administratively rezoned to a mixed use district IF THE REQUIREMENTS OF SUBSECTION
20 (C)(2) ARE MET. The designation of mixed use planned land use IN THE GENERAL
21 DEVELOPMENT PLAN OR A REGION PLAN AND A RECOMMENDATION OF REZONING TO A
22 MIXED USE DISTRICT IN A REQUIRED SECTOR PLAN OR STUDY shall satisfy the requirement
23 of subsection (b)(1).

24
25 **(H) Mixed use application prior to a certain date.** AN APPLICATION FOR
26 ADMINISTRATIVE REZONING TO A MIXED USE DISTRICT FILED BEFORE THE EFFECTIVE
27 DATE OF BILL NO. 18-25 SHALL BE GOVERNED BY THE LAW AS IT EXISTED PRIOR TO THE
28 EFFECTIVE DATE OF BILL NO. 18-25.

29
30 **SECTION 2. *And be it further enacted,* That all references in this Ordinance to “the**
31 **effective date of Bill No. 18-25”**, or words to that that effect, shall, upon codification, be
32 **replaced with the actual date on which this Ordinance takes effect under Section 307 of the**
33 **County Charter as certified by the Administrative Officer to the County Council.**

34
35 **SECTION 2. ~~3.~~ *And be it further enacted,* That this Ordinance shall take effect 45 days**
36 **from the date it becomes law.**