



ANNE ARUNDEL County GOVERNMENT RELATIONS OFFICE

Legislative and Fiscal Summary of Administration Legislation

To: Members, Anne Arundel County Council

From: Ethan Hunt, Director of Government Affairs /s/

Date: September 15, 2025

Subject: Bill No. __ -25 – Subdivision and Development – Adequate Public Facilities – Adequate Transportation Facilities – Mitigation – Fees and Securities – Development Impact Fee Credits

This summary was prepared by the Anne Arundel County Government Relations Office for use by members of the Anne Arundel County Council during consideration of Bill No. __-25.

Summary

This Bill, requested by the Administration, modernizes Anne Arundel County's development policies by replacing outdated, road-focused Adequate Public Facilities (APF) policies with a balanced framework that aligns development requirements with community-centered transportation goals. The Transportation Adequate Public Facilities Bill requires adequacy tests for not just roads but also bicycle, pedestrian, and transit facilities to ensure that current and future development provides sufficient improvements to address their impacts on the entire transportation network. In doing so, the Bill creates a safer, more efficient, and accessible transportation network that is consistent with the County's long-range plans and policies, including Plan2040, Move Anne Arundel!, Complete Streets, and Vision Zero.

The Bill expands APF Standards beyond roads by requiring separate adequacy tests for sidewalks, pedestrian crossings, bicycle facilities, and transit access, in addition to road capacity. It modernizes and clarifies mitigation requirements by establishing a mitigation hierarchy, focusing on having developers build infrastructure improvements whenever possible, before allowing a developer to contribute to planned capital projects, or pay a fee-in-lieu to fund broader regional infrastructure upgrades. It maintains Impact Fee Credits by requiring that developers who exceed baseline mitigation requirements be eligible for transportation impact fee credits, ensuring developers are not double-charged.

The Bill updates the Anne Arundel County Code by amending Sections 17-5-401 (Adequate Road Facilities), 17-5-901 (Mitigation), and 17-11-207 (Credits) to reflect multimodal

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

transportation requirements. It also codifies and operationalizes goals from Plan2040, Move Anne Arundel!, Complete Streets, and Vision Zero, making them enforceable standards, to ensure growth matches infrastructure capacity and prevents development from proceeding without adequate transportation support, thereby reducing congestion and improving safety. It additionally promotes equitable, multimodal transportation by supporting non-driving residents by ensuring access to safe walking routes, bike facilities, and transit services. Additionally, it improves predictability for developers as it replaces subjective case-by-case reviews with consistent, transparent, and measurable criteria and applies County-wide with context-sensitive flexibility, setting a uniform baseline while allowing developers to choose how they meet the standards based on local context. It ensures that when growth happens, it is supported by adequate infrastructure. The range of mitigation options enables developers to move forward in a way that meets local needs while protecting community infrastructure. Counties across Maryland and the region, including Montgomery, Howard, and Prince George's, have implemented multimodal APF standards or Complete Streets-based mitigation requirements. Anne Arundel is aligning with best practices already being adopted statewide. Ultimately the Bill will result in safer, more connected communities, reduced infrastructure strain from new development, stronger alignment between land use and transportation, and provide a transparent, efficient approval process for all parties.

The current APF standards, adopted in 2005, focus exclusively on road capacity. They no longer reflect how people move or the multimodal goals adopted in Plan2040, Move Anne Arundel!, Complete Streets, and Vision Zero. This Bill brings the code in line with those plans and responds to growing public demand for safer, more equitable transportation infrastructure. The Bill provides clearer, standardized criteria that make the process more predictable for developers. While some projects may require additional mitigation, the flexible mitigation hierarchy, including off-site improvements or fee-in-lieu, helps avoid overly-costly or impractical requirements. While the standards apply County-wide, the mitigation options are flexible. For example, a rural project may use off-site contributions or fee-in-lieu rather than building a sidewalk where none exists nearby and there are no local trip generators. The Bill allows Planning & Zoning to work with applicants to determine the most context-appropriate solutions. Ultimately, it reduces back-and-forth and makes expectations more transparent. Developers will be required to mitigate their transportation impacts using a tiered mitigation hierarchy outlined in the Bill. This structure ensures that mitigation is tailored to each development's context, while still holding all projects accountable for their impact. The priorities include:

- On-site or Adjacent Physical Improvements - developers can construct or improve infrastructure such as:
 - Roadway expansions or intersection upgrades
 - Sidewalks and pedestrian crossings
 - Bicycle lanes or trails
 - Transit access improvements (e.g. shelters, ADA access, bus turnouts)
- Off-site Improvements - If on-site mitigation is not feasible or sufficient, developers may contribute to nearby infrastructure improvements that address their project's impact, particularly in the same travel corridor or community impact area.
- Fee-in-Lieu Contributions - When physical improvements are impractical due to site constraints, developers may pay a fee-in-lieu. These funds will be directed toward priority capital transportation projects identified by the County, including multimodal

improvements in underserved or high-need areas. Mitigation funds will be directed toward planned capital transportation projects, based on community and infrastructure priorities. This enables more strategic, regional investment in high-need areas, rather than forcing improvements that may not be appropriate for the specific development site.

This approach ensures that while the baseline expectations are consistent, the path to compliance can be tailored to the unique conditions of each project. Applying these standards County-wide helps avoid a patchwork of inconsistent rules that can lead to unpredictable reviews, inequitable outcomes, and slower approvals. It provides a level playing field for developers, ensures fairness across communities, and simplifies site selection.

Purpose

The purpose of this Bill is to update Anne Arundel County's development policies by replacing the current road-focused Adequate Public Facilities (APF) policies with a balanced framework that aligns development requirements with community-centered transportation goals by requiring adequacy tests for not just roads but also bicycle, pedestrian, and transit facilities, and providing for mitigation and impact fee credits.

Fiscal Impact

Please see the Fiscal Note the Budget Office has prepared for an explanation of the fiscal impact of this Bill.

Additional Information

The Government Relations Office is available to answer any additional questions regarding this Bill. Specific questions should be directed to Greg Swain, Office of Law, David Braun, Department of Public Works, Sarah Fowler, Office of Planning and Zoning, or Brian Ulrich, Office of Transportation. Thank you.

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