News

Anne Arundel County Executive Introduces More Legislation Impacting Development

March 20, 2018

Only two weeks after introducing a round of development-related legislation, the Anne Arundel County Executive announced three new Bills before the County Council on Monday, March 19. The three Bills are in addition to the four introduced on March 5. There are now seven Bills pending before the County Council that would amend the development process in Anne Arundel County. Linowes and Blocher is closely tracking these Bills.

Bill No. 21-18 would re-institute the development and adoption of Small Area Plans (the equivalent of sector plans in some sister jurisdictions) in addition to the regular General Development Plan. Veterans of Anne Arundel County development may remember the 16 Small Area Plans that were developed in 2000 to 2004. Bill 21-18 would require the development of no fewer than seven new Small Area Plans (and possibly more) following adoption of the next General Development Plan, which is anticipated in 2019. The Bill also would direct the County Executive to appoint citizen-members to "Small Area Planning Committees" that would direct the creation of the Small Area Plans.

Bill No. 22-18 would allow for administrative adjustments of certain bulk regulations for individual building lots outside of the Chesapeake Bay Critical Area. If passed, this provision could significantly reduce the large number of uncontested setback variances that currently clog the Administrative Hearing Officer's docket.

Finally, Bill No 23-18 would increase the notice requirements for required community meetings. Under this Bill, all property owners within 300 feet of the property to be developed would receive notice of community meetings. The current standard is 175 feet. This change significantly increases the number of property owners and homeowners' associations who receive notice of community meetings for even relatively small-scale and routine development proposals.

In other news, the County Council also considered amendments to and debated Bill No.15-18, which was previously introduced on February 20, 2018. This Bill drastically alters how school capacity is calculated for purposes of Anne Arundel County's Adequacy of Public Facilities Ordinance ("APFO"). Specifically, the Bill would change the method of determining whether individual schools are "open" or "closed" for new enrollment, which controls whether new residential subdivision can proceed. This Bill would essentially "close" approximately 90 percent of the County to new non-age-restricted residential development (and thereby significantly decreasing the payment of school impact fees used for new school construction) without causing any significant reduction in school overcrowding. The County Council will consider this amended Bill again during its April 2, 2018 session.

Attorneys in the Annapolis office of Linowes and Blocher will be monitoring each of these Bills carefully as they progress through the County Council. If you have any questions regarding these bills or other matters in Anne Arundel County, please contact the attorneys listed below.

David Plott at dplott@linowes-law.com or 443-949-3790

Continued

Charles Schaller at cschaller@linowes-law.com or 443-949-3793

Benjamin Wechsler at bwechsler@linowes-law.com or 443-949-3128