

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 4

Bill No. 9-19

Introduced by Mr. Pruski, Chairman
(by request of the County Executive)

By the County Council, February 19, 2019

Introduced and first read on February 19, 2019
Public Hearing set for and held on March 18, 2019
Bill Expires May 25, 2019

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Critical Area Overlay –
2 Lot Consolidation and Reconfiguration

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4 FOR the purpose of defining certain terms; providing for consolidation and reconfiguration
5 of lots in the Critical Area; making the effective date of this Ordinance contingent on
6 the approval of the Maryland Critical Area Commission; and generally relating to
7 subdivision and development.

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9 BY adding: §§ 17-8-1001 and 17-8-1002 to be under the new subtitle “Subtitle 10.
10 Consolidation and Reconfiguration of Lots within the Critical Area”
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:

ARTICLE 17. SUBDIVISION AND DEVELOPMENT

TITLE 8. CRITICAL AREA OVERLAY

SUBTITLE 10. CONSOLIDATION AND RECONFIGURATION OF LOTS IN THE CRITICAL AREA

17-8-1001. Definitions.

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25 IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 (1) "CONFORMING" MEANS A LOT OR PARCEL OF LAND THAT MEETS ALL CRITICAL
2 AREA REQUIREMENTS, BUT DOES NOT INCLUDE A LOT OR PARCEL OF LAND FOR WHICH A
3 CRITICAL AREA VARIANCE HAS BEEN SOUGHT OR GRANTED OR THAT IS LOCATED IN THE
4 RCA AND IS LESS THAN 20 ACRES.

5
6 (2) "CONSOLIDATION" MEANS A COMBINATION OF ANY RECORDED, LEGALLY
7 BUILDABLE LOTS OR LEGAL PARCELS OF LAND INTO FEWER LOTS OR PARCELS OF LAND.

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9 (3) "RECONFIGURATION" MEANS A CHANGE OF THE ARRANGEMENT OF THE
10 EXISTING LOT OR PARCEL LINES OF ANY RECORDED, LEGALLY BUILDABLE LOTS OR
11 LEGAL PARCELS OF LAND.

12
13 (4) "SITE" MEANS ANY LOT OR PARCEL OF LAND, OR COMBINATION OF LOTS OR
14 PARCELS OF LAND, THAT ARE CONTIGUOUS AND BEING DEVELOPED AS PART OF A
15 COMMON SUBDIVISION OR PROJECT.

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17 **17-8-1002. Lot Consolidation and Reconfiguration.**

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19 (A) **Consolidation and reconfiguration of lots in the Critical Area.** AN APPLICATION
20 SEEKING LOT CONSOLIDATION AND RECONFIGURATION ON A SITE LOCATED IN THE
21 CRITICAL AREA MUST COMPLY WITH THE LOT CONSOLIDATION AND RECONFIGURATION
22 REQUIREMENTS OF COMAR, TITLE 27 AND BE APPROVED BY THE OFFICE OF PLANNING AND
23 ZONING PRIOR TO APPROVAL OF A SKETCH PLAN OR PRELIMINARY PLAN, PROVIDED
24 THAT:

25
26 (1) LOTS LOCATED IN THE LDA OR IDA MAY NOT BE RECONFIGURED INTO THE RCA;
27 AND

28
29 (2) LOTS LOCATED OUTSIDE THE CRITICAL AREA MAY NOT BE RECONFIGURED
30 INTO THE CRITICAL AREA.

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32 (B) **Notice to Critical Area Commission.** A COPY OF THE FINAL WRITTEN DECISION
33 OF THE OFFICE OF PLANNING AND ZONING GRANTING OR DENYING THE APPLICATION
34 SHALL BE SENT TO THE CRITICAL AREA COMMISSION NO LATER THAN FIVE DAYS AFTER
35 THE DATE OF THE DECISION.

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37 (C) **Prohibition on approval.** A SKETCH PLAN OR PRELIMINARY PLAN APPLICATION
38 THAT INCLUDES AN APPLICATION FOR LOT CONSOLIDATION OR RECONFIGURATION MAY
39 NOT BE APPROVED BY THE OFFICE OF PLANNING AND ZONING UNTIL 30 DAYS AFTER THE
40 CRITICAL AREA COMMISSION RECEIVES A COPY OF THE FINAL WRITTEN DECISION
41 GRANTING OR DENYING THE APPLICATION SEEKING LOT CONSOLIDATION OR
42 RECONFIGURATION.

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44 (D) **Exception.** THIS SUBTITLE DOES NOT APPLY TO A CONFORMING LOT OR PARCEL.

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46 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
47 from the date it becomes law, or upon approval of the Maryland Critical Area Commission
48 under the authority granted by § 8-1801 et. seq. of the Natural Resources Article of the
49 State Code, whichever is later. If approved, in whole or in part, after the 45 days, the
50 approved provisions of this Ordinance shall take effect on the date the notice of approval
51 is received by the Office of Planning and Zoning. If disapproved, in whole or in part, the
52 disapproved portions of this Ordinance shall be null and void without the necessity of
53 further action by the County Council. The Office of Planning and Zoning, within five days
54 after receiving any notice from the Maryland Critical Area Commission, shall forward a
55 copy to the Administrative Officer to the County Council.

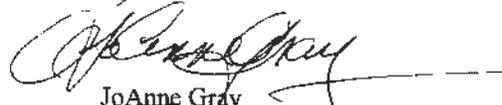
READ AND PASSED this 18th day of March, 2019

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of March, 2019



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 19th day of March, 2019



Stuart Pittman
County Executive

EFFECTIVE DATE: **MAY 03 2019**

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
9-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer