

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 7

Bill No. 22-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, April 3, 2023

Introduced and first read on April 3, 2023
Public Hearing set for and held on May 1, 2023
Bill Expires July 7, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – General Provisions – Digital Zoning Layer

2

3 FOR the purpose of establishing guidelines for construing the location of zoning district
4 lines shown on the digital zoning layer; authorizing the County Council or the Planning
5 and Zoning Officer to certify administrative corrections to zoning district lines in
6 certain situations; and generally relating to zoning.

7

8 BY repealing: § 18-2-108
9 Anne Arundel County Code (2005, as amended)

10

11 BY repealing and reenacting, with amendments: §§ 18-2-106(b) and 18-2-107
12 Anne Arundel County Code (2005, as amended)

13

14 BY adding: § 18-2-106(e)
15 Anne Arundel County Code (2005, as amended)

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17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
18 *That § 18-2-108 of the Anne Arundel County Code (2005, as amended) is hereby repealed.*

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20 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
21 Code (2005, as amended) read as follows:

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ARTICLE 18. ZONING

23

24

TITLE 2. GENERAL PROVISIONS

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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.

1 **18-2-106. Zoning map.**

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3 (b) **Authorized changes to zoning map.** The Anne Arundel County Digital Zoning
4 Layer may not be changed except as follows:

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6 (1) By comprehensive zoning legislation enacted by the County Council and
7 certified by the Administrative Officer to the County Council;

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9 (2) By rezoning as authorized by § 18-16-303 and, upon final decision, certified by
10 the Planning and Zoning Officer; OR

11
12 (3) By zoning district line **[[adjustments]]** CORRECTIONS as authorized by § 18-2-
13 107 and certified by the Administrative Officer to the County Council OR **[[;** and

14
15 (4) By administrative zoning district line adjustments as authorized by § 18-2-108
16 and certified by]] the Planning and Zoning Officer.

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18 (E) **Zoning district lines.** TO DETERMINE THE PRECISE LOCATION OF A ZONING
19 DISTRICT LINE SHOWN ON THE DIGITAL ZONING LAYER, ZONING DISTRICT LINES SHALL
20 BE CONSTRUED TO FOLLOW:

21 (1) THE LIMITS OF ANY MUNICIPAL CORPORATION;

22 (2) THE CENTER LINES OF ROADS AND STREETS;

23 (3) THE BOUNDARY LINES OF A RAILROAD RIGHT-OF-WAY;

24 (4) EXCEPT FOR PLATTED FLOODPLAINS, THE CENTER LINE OF NONTIDAL WATERS,
25 OR THE LANDWARD EDGE OF TIDAL WATERS, ESTABLISHED FROM MEAN HIGH-WATER; OR

26 (5) PLATTED LOT LINES OR OTHER PROPERTY LINES.
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33 **18-2-107. Zoning district line corrections.**

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35 (A) **In general.** The **[[Office of]]** Planning and Zoning OFFICER may EITHER submit
36 proposed changes to the County Council FOR ADOPTION BY ORDINANCE **[[that, if adopted**
37 **by the Council, would adjust a zoning district line on the Digital Zoning Layer to follow a**
38 **lot line, road, river, or other clear boundary when the existing line approximately follows**
39 **the lot line or other clear boundary but does not precisely follow it because of a drafting**
40 **error or because the information on the Digital Zoning Layer was corrected based on a new**
41 **survey or other improved information. The Council's refusal to adopt a proposed change**
42 **does not preclude the filing of an application under Title 16 relating to the change.]]** OR
43 **CERTIFY CHANGES TO THE DIGITAL ZONING LAYER TO CORRECT MINOR OR TECHNICAL**
44 **ERRORS TO A ZONING DISTRICT LINE:**

45 (1) TO FOLLOW THE BOUNDARIES ESTABLISHED IN § 18-2-106(E)(1) THROUGH (4);

46 (2) TO FOLLOW THE BOUNDARIES ESTABLISHED IN § 18-2-106(E)(5), IF THERE IS A
47 CLEAR INDICATION THAT THE ZONING DISTRICT LINE WAS INTENDED TO MATCH THE
48 PROPERTY BOUNDARY, WHEN:
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1 (I) MORE ACCURATE OR UPDATED PARCEL INFORMATION BECOMES
2 AVAILABLE DUE TO APPROVED DEVELOPMENT ACTIVITY, A RECORDED PLAT, AN
3 UPDATED SEALED PROPERTY SURVEY, OR OTHER IMPROVED INFORMATION; OR
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5 (II) MINOR DRAFTING OR OTHER TECHNICAL ERRORS OR OMISSIONS
6 IDENTIFIED WITHIN THE GIS MAPPING SYSTEM ARE CORRECTED FOR A PARCEL AND THE
7 CORRECTION RESULTS IN A ZONING DISTRICT LINE FALLING INSIDE OR OUTSIDE OF THE
8 PARCEL BOUNDARY; OR
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10 (3) WHEN WRITTEN TEXT OR A MAP EXHIBIT ADOPTED BY COMPREHENSIVE
11 ZONING LEGISLATION OR OTHER PROPERTY REZONING CLEARLY INDICATES A
12 DISCREPANCY BETWEEN A ZONING DISTRICT LINE AS SHOWN ON THE DIGITAL ZONING
13 LAYER AND THE ADOPTED TEXT OR MAP EXHIBIT.
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15 (B) **Effect of correction.** ANY CORRECTION MADE IN ACCORDANCE WITH SUBSECTION
16 (A) MAY NOT BE CONSTRUED AS A REZONING.
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18 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
19 from the date it becomes law.

READ AND PASSED this 1st day of May, 2023

By Order:



Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 3rd day of May, 2023



Laura Corby
Administrative Officer

APPROVED AND ENACTED this 8th day of May, 2023



Steuart Pittman
County Executive

EFFECTIVE DATE: June 22, 2023

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I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 22-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, reading "Laura Corby". The signature is written in a cursive, flowing style with a long, sweeping tail on the "y".

Laura Corby
Administrative Officer