

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 14

Bill No. 65-23

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

By the County Council, July 17, 2023

Introduced and first read on July 17, 2023  
Public Hearing set for and held on September 5, 2023  
Public Hearing on AMENDED bill set for and held on September 18, 2023  
Bill Expires on October 20, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Critical Area Growth Allocation for Property  
2 Located on Galesville Road in Galesville, Maryland

3  
4 FOR the purpose of granting a portion of the County’s Critical Area growth allocation to  
5 property owned by Galesville Community Properties, Inc. by changing its designation  
6 on the County’s Critical Area maps from Limited Development Area to Intensely  
7 Developed Area; establishing requirements and limitations on the development of the  
8 property granted the growth allocation; making the effective date of this Ordinance  
9 contingent on the approval of the Maryland Critical Area Commission; and generally  
10 relating to the grant of growth allocation for the Galesville Community Properties, Inc.  
11 property.

12  
13 WHEREAS, the State’s Chesapeake Bay Critical Area law establishes procedures  
14 through which jurisdictions are allotted a certain amount of growth allocation that  
15 permits changes to be made to the County’s Critical Area maps in order to  
16 accommodate desirable and anticipated growth; and

17  
18 WHEREAS, Sections 18-13-401 through 18-13-405 of the Anne Arundel County  
19 Code establish a procedure for granting a growth allocation for properties located  
20 in the Chesapeake Bay Critical Area; and

21  
22 WHEREAS, Galesville Community Properties, Inc., the owners of 1.671 acres of  
23 land within the Critical Area and located at 1000 Galesville Road (also known as  
24 1000 Main Street), Galesville, have requested that 0.561 acres of their property be

EXPLANATION: Underlining indicates matter added to bill by amendment.  
~~Strikeover~~ indicates matter removed from bill by amendment.

1 granted a growth allocation by changing its Critical Area designation from Limited  
2 Development Area to Intensely Developed Area; and

3  
4 WHEREAS, the proposed growth allocation will facilitate the preservation and  
5 reconstruction of an abandoned historic structure for reuse as a commercial  
6 building; and

7  
8 WHEREAS, the Planning Advisory Board has reviewed the request for growth  
9 allocation and recommended that the growth allocation be granted; and

10  
11 WHEREAS, the County Council finds that the growth allocation request meets the  
12 criteria of the growth allocation process as set forth in §§ 18-13-401 through 18-  
13 13-405 of the County Code; and

14  
15 WHEREAS, the County Council finds that the approval of this growth allocation  
16 is in the best interests of the County, provided certain additional requirements are  
17 met to ensure the public health, safety, and welfare; now therefore

18  
19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
20 That the Critical Area designation for a portion of the property located at 1000 Galesville  
21 Road (also known as 1000 Main Street), Galesville, identified by Tax Account No. 01-000-  
22 02124650, consisting of 0.561 acres, as shown on the plat entitled “Growth Allocation  
23 Plan” dated December 27, 2022, a copy of which is attached hereto as Exhibit A, and as  
24 shown on the digital map entitled “Anne Arundel County Critical Area Layer” adopted by  
25 the County Council in Bill No. 63-21, is hereby changed from Limited Development Area  
26 to Intensely Developed Area.

27  
28 SECTION 2. *And be it further enacted,* That the growth allocation granted changing  
29 the Critical Area designation from Limited Development Area to Intensely Developed  
30 Area, as referenced in Section 1 of this Bill, is subject to the following:

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32 Either:

33  
34 (1) an action to commence subdivision must be begun within one year of  
35 the date of approval by the County Council or Critical Area Commission,  
36 whichever is later, and the subdivision must be recorded within three years of the  
37 date of approval by the County Council or Critical Area Commission, whichever is  
38 later; or

39  
40 (2) ~~a building permit must be issued~~ if subdivision is not required, action to  
41 commence development must begin within one year of the date of approval of the  
42 growth allocation by the County Council or Critical Area Commission, whichever  
43 is later, and the ~~certificate of occupancy~~ required permits must be issued within  
44 three years of the date of approval of the growth allocation by the County Council  
45 or Critical Area Commission, whichever is later.

46  
47 If neither (1) nor (2) occurs, then this approval of the growth allocation is  
48 rescinded by operation of law, and the prior Critical Area designation for the


1 property described herein as Limited Development Area shall be restored without  
2 further action by the County Council.  
3

4 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days  
5 from the date it becomes law or upon approval of the Maryland Critical Area Commission  
6 under the authority granted by §§ 8-1801, et. seq., of the Natural Resources Article of the  
7 State Code, whichever is later. If approved after the 45 days, the Ordinance shall take effect  
8 on the date of the notice of approval is received by the Office of Planning and Zoning. If  
9 disapproved, the Ordinance shall be null and void without the necessity of further action  
10 by the County Council. The Office of Planning and Zoning, within five days after receiving  
11 a notice from the Maryland Critical Area Commission, shall forward a copy to the  
12 Administrative Officer to the County Council.

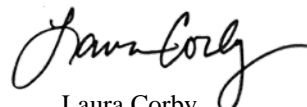
AMENDMENTS ADOPTED: September 5, 2023

READ AND PASSED this 18<sup>th</sup> day of September, 2023

By Order:

  
Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 19<sup>th</sup> day of September, 2023

  
Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 20th day of September, 2023

  
Steuart Pittman  
County Executive

EFFECTIVE DATE: November 4, 2023 (Subject to change under Section 3)

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I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 65-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with the first name "Laura" and last name "Corby" clearly distinguishable.

Laura Corby  
Administrative Officer

