



February 9, 2010

Mr. Larry Tom  
Planning and Zoning Officer  
Heritage Office Complex  
2664 Riva Rd  
Annapolis, MD 21401

Dear Mr. Tom,

The Advocates for Herring Bay have reviewed the December 9, 2009 draft legislation that would amend Anne Arundel County's zoning code. We believe that the current draft of Article 18 does not adhere to the stipulations in the General Development Plan (GDP) that were approved by the County Council on October 19, 2009. The GDP expressly states that:

*Future increases in development capacity should be consistent with adopted land use policies (page 36).*

As drafted, section 18-16-304 would allow the Administrative Hearing Officer to award special exceptions—which typically seek more intense development—without regard to the environmental stewardship, community preservation, and sustainability goals articulated in the GDP. This section should be amended to make approval of zoning exceptions contingent on affirmative findings that the resulting land use would fully conform to the policies in the GDP, particularly such goals as:

Preserve and protect sensitive areas including streams, their buffers, floodplains, Natural Heritage Areas, steep slopes, tidal and nontidal wetlands, and unique watersheds (page 73);

Preserve, protect, and enhance the designated Greenways network as well as forest cover countywide (page 75).

In our February 2009 comments on the draft GDP, we applauded the county's effort to develop a new, environmentally balanced framework for land use decisions. Amending the zoning code to ensure compliance with the goals in the GDP will help make the county's vision of sustainable growth a reality. We appreciate your consideration of our views and would be happy to be of any assistance in this matter.

Sincerely,

Stephen Marley

Cc:  
Ms. Trisha Johnson, Councilwoman District 7