



Office of County Executive  
STEUART PITTMAN

## MEMORANDUM

TO: Phil Hager, Director of Planning and Zoning

FROM: Steuart Pittman, County Executive *SP*

SUBJECT: Minimizing Environmental Impacts through the Modification Review Process

DATE: May 14, 2019

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Protection of the environment is vital to the quality of life, health and economic vitality of Anne Arundel County residents, and is a foundational tenant of this Administration. Article 17 of the Anne Arundel County Code includes significant provisions to protect environmental resources through the development review process. However, the same article also provides relief from strict adherence to the County Code through the mechanism of a "modification."

In some past instances, the practice of granting modifications has resulted in adverse environmental impacts and has run counter to the goals of effective planning. This Administration will not facilitate such outcomes enabled through the modification process.

Accordingly, all modification requests related to environmental resources will be carefully and deliberately scrutinized by the Office of Planning and Zoning Development Review staff to identify potential, adverse environmental impacts. All such modification requests, whether major or minor, must be accompanied by detailed and defensible justification in accordance with Article 17.<sup>1</sup> Absent such justification, a modification request will be denied and returned. Further, modification requests that would result in adverse environmental impacts will not be approved – even if accompanied by appropriate documentation – unless:

- 1) there is a clear and definitive showing that the alternate proposal will mitigate and minimize environmental impacts through the use of design alternatives; or
- 2) the requestor agrees to the conditions set forth by the Planning and Zoning Officer to secure mitigation of adverse environmental impacts.

Flexibility may be exercised in instances where the need for a modification is triggered by private or public stormwater projects, water quality improvement projects, utility infrastructure, or transportation infrastructure.

Thank you for your continued efforts making Anne Arundel County "The Best Place."

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<sup>1</sup> At the time of signing, §17-02-208(a) specifically described five criteria that must be satisfied.