

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 23

Bill No. 106-21

Introduced by Ms. Lacey, Chair
(by request of the County Executive)

By the County Council, December 6, 2021

Introduced and first read on December 6, 2021
Public Hearing set for and held on January 3, 2022
Bill Expires March 11, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Critical Area Overlay – Resource Conservation
2 Area – Farm Alcohol Production Facility

3
4 FOR the purpose of allowing farm alcohol production facilities as a use in the critical area
5 Resource Conservation Area (“RCA”); making this Ordinance subject to approval of
6 the Maryland Critical Area Commission; and generally relating to zoning.

7
8 BY renumbering: § 18-13-206(15) through (45), respectively, to be § 18-13-206(16)
9 through (46), respectively
10 Anne Arundel County Code (2005, as amended)

11
12 BY adding: § 18-13-206(15)
13 Anne Arundel County Code (2005, as amended)

14
15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
16 *That § 18-13-206(15) through (45), respectively, of the Anne Arundel County Code (2005,*
17 *as amended) are hereby renumbered to be § 18-13-206(16) through (46), respectively.*

18
19 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
20 Code (2005, as amended) read as follows:

ARTICLE 18. ZONING

TITLE 13. CRITICAL AREA OVERLAY

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.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

1 **18-13-206. RCA uses.**

2
3 The following uses are the only uses allowed in the RCA and, to be allowed, the use
4 must be allowed in and meet all requirements of the underlying zoning district and, for a
5 residential use, the density allowed is one dwelling unit per 20 acres:

6
7 ***


8
9 (15) FARM ALCOHOL PRODUCTION FACILITY;

10
11 ***


12
13 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
14 from the date it becomes law, or upon approval of the Maryland Critical Area Commission
15 under the authority granted by § 8-1801, *et. seq.* of the Natural Resources Article of the
16 State Code, whichever is later. If approved, in whole or in part, after the 45 days, the
17 approved provisions of this Ordinance shall take effect on the date the notice of approval
18 is received by the Office of Planning and Zoning. If disapproved, in whole or in part, the
19 disapproved portions of this Ordinance shall be null and void without the necessity of
20 further action by the County Council. The Office of Planning and Zoning, within five days
21 after receiving any notice from the Maryland Critical Area Commission, shall forward a
22 copy to the Administrative Officer to the County Council.

READ AND PASSED this 3rd day of January, 2022

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 4th day of January, 2022


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 13th day of January, 2022


Stuart Pittman
County Executive

EFFECTIVE DATE: April 7, 2022

Received April 7, 2022

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman

Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

April 6, 2022

Ms. Kelly Krinetz
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

**Re: Text Amendment to Anne Arundel County's Critical Area Program
Bill #106-21 – RCA Use Update, Farm Alcohol Production Facility**

Dear Ms. Krinetz,

The purpose of this letter is to officially notify you of the Critical Area Commission's action on the above-referenced text amendment to Anne Arundel County's Critical Area, allowing for new farm alcohol production facilities in the Resource Conservation Area (RCA). At its meeting on April 6th, 2022, the Critical Area Commission concurred with my determination that the text amendment could be reviewed as a refinement to the County's Critical Area Program. I approved the Critical Area text amendment on that same date. Please note that the refinement must be reflected in the Anne Arundel County Zoning Ordinance within 120 days of the date of this letter.

Thank you for your continued dedication to the Anne Arundel County Critical Area Program. If you have any questions or concerns, please contact Michael Grassmann at 410.260.3462 or michael.grassmann@maryland.gov.

Sincerely,

A handwritten signature in cursive script that reads "Charles C. Deegan".

Charles C. Deegan
Chairman

cc: Ms. Katherine Charbonneau, Critical Area Commission
Mr. Michael Grassmann, Critical Area Commission