

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 9

Bill No. 48-21

Introduced by Ms. Rodvien

By the County Council, May 3, 2021

Introduced and first read on May 3, 2021 Public Hearing set for and held on June 7, 2021 Public Hearing on AMENDED bill set for and held on June 21, 2021 Bill Expires August 6, 2021

By Order: Laura Corby, Administrative Officer

## A BILL ENTITLED

1	AN ORDINANCE concerning: Zoning - Alcoholic Beverage Uses as Accessory to Other
2	Uses
3	
4	FOR the purpose of repealing a requirement for a certain distance between restaurants with
5	an off-sale alcoholic beverage license and other businesses with the same license;
6	repealing certain floor area restrictions and ownership requirements amending certain
7	floor area restrictions for a restaurant or package goods store with an off-sale alcoholic
8	beverage license; making a technical change; and generally relating to zoning.
9	
10	BY repealing and reenacting, with amendments: § 18-10-104(3) and (4)
11	Anne Arundel County Code (2005, as amended)
12	
13	BY repealing: § 18-10-104(4)
14	Anne Arundel County Code (2005, as amended)
15	
16	SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland,
17	That § 18-10-104(4) of the Anne Arundel County Code (2005, as amended) is hereby
18	<del>repealed.</del>
19	
20	SECTION 2. And be it further enacted, That Section(s) of the Anne Arundel County
21	Code (2005, as amended) read as follows:

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.

<u>Underlining</u> indicates matter added to bill by amendment. <u>Strikeover</u> indicates matter removed from bill by amendment.

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, 1 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows: 2 3 **ARTICLE 18. ZONING** 4 5 TITLE 10. REQUIREMENTS FOR CONDITIONAL USES 6 7 18-10-104. Alcoholic beverage uses as accessory to other uses. 8 9 10 An alcoholic beverage use that is accessory to another use shall comply with all of the following requirements. 11 12 \*\*\* 13 14 (3) An off-sale alcoholic beverage license use shall be located away from schools 15 and religious facilities by at least the distance required by [[Article 2B, § 9-203(c),]] § 11-16 1603 OF THE ALCOHOLIC BEVERAGES ARTICLE of the State Code[[, and for a restaurant 17 with off-sales or a restaurant with a package goods store, as least one mile from a package 18 goods store]]. For structures, the distance shall be measured in a straight line from entry to 19 entry. [[The one mile distance restriction for a restaurant with an off-sale license does not 20 apply to the sale of package goods exclusively available through the restaurant or produced 21 by the restaurant.]] 22 23 II(4) An off-sale alcoholic beverage license use for a restaurant or a package goods 24 25 store use operated on the same property as and under common ownership with a restaurant shall be limited to 15% of the floor area of the restaurant, not to exceed 1,000 square feet. 26 This restriction does not apply to the sale of package goods exclusively available through 27 the restaurant or produced by the restaurant.]] 28 29 (4) An off-sale alcoholic beverage license use for a restaurant or a package goods 30 store use operated on the same property as and under common ownership with a restaurant 31 32 shall be limited to [[15%]] 30% of the floor area of the restaurant[[, not to exceed 1,000]] square feet]]. This restriction does not apply to the sale of package goods exclusively 33 available through the restaurant or produced by the restaurant. 34 35 SECTION 3. 2. And be it further enacted, That this Ordinance shall take effect 45 days 36

AMENDMENTS ADOPTED: June 7, 2021

from the date it becomes law.

37

READ AND PASSED this 21st day of June, 2021

By Order:

Administrative Officer

PRESENTED to the County Executive for his approval this 22<sup>nd</sup> day of June, 2021

Laura Corby **(**)
Administrative Officer

APPROVED AND ENACTED this 25th day of June, 2021

Steuart Pittman
County Executive

EFFECTIVE DATE: August 9, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO. 48-21. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.

Laura Corby

**Administrative Officer**