

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 29

Bill No. 90-20

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

and by Ms. Lacey

By the County Council, October 19, 2020

Introduced and first read on October 19, 2020
Public Hearing set for and held on November 16, 2020
Bill Expires January 22, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Zoning – Data Storage Centers
2
3 FOR the purpose of defining “data storage center”; establishing the parking requirements
4 for data storage centers; allowing a “data storage center in the BWI/Fort Meade Growth
5 Area” as a conditional use in C2 and C3 commercial districts; allowing a “data storage
6 center” as a permitted use in W1, W2, and W3 industrial districts; allowing a “data
7 storage center” as a permitted use in MXD-E mixed use districts under the optional
8 method of development and industrial category; establishing the conditional use
9 requirements for “data storage centers in the BWI/Fort Meade Growth Area”; and
10 generally relating to zoning.
11
12 BY renumbering: §§ 18-1-101(41) through (157), respectively, to be 18-1-101(42) through
13 (158), respectively; and 18-10-118 through 18-10-161, respectively, to be 18-10-119
14 through 18-10-162, respectively
15 Anne Arundel County Code (2005, as amended)(and as amended by Bill No. 68-20)
16
17 BY adding: §§ 18-1-101(41); and 18-10-118
18 Anne Arundel County Code (2005, as amended)
19
20 BY repealing and reenacting, with amendments: §§ 18-3-104; 18-5-102; 18-6-103; and 18-
21 8-301(b)
22 Anne Arundel County Code (2005, as amended)

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 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 That §§ 18-1-101(41) through (157), and 18-10-118 through 18-10-161, respectively, of
3 the Anne Arundel County Code (2005, as amended) (and as amended by Bill No. 68-20)
4 are hereby renumbered to be §§ 18-1-101(42) through (158), and 18-10-119 through 18-
5 10-162, respectively.

6
7 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
8 Code (2005, as amended) read as follows:

9
10 **ARTICLE 18. ZONING**

11
12 **TITLE 1. DEFINITIONS**

13
14 **18-1-101. Definitions.**

15
16 Unless defined in this article, the Natural Resources Article of the State Code, or
17 COMAR, words defined elsewhere in this Code apply in this article. The following words
18 have the meanings indicated:

19
20 (41) "DATA STORAGE CENTER" MEANS A FACILITY USED PRIMARILY FOR THE
21 STORAGE, MANAGEMENT, PROCESSING, AND TRANSMISSION OF DIGITAL DATA, WHICH
22 HOUSES COMPUTER OR NETWORK EQUIPMENT, SYSTEMS, SERVERS, APPLIANCES AND
23 OTHER ASSOCIATED COMPONENTS RELATED TO DIGITAL DATA STORAGE AND
24 OPERATIONS.

25
26 **TITLE 3. PARKING, NONRESIDENTIAL OUTDOOR LIGHTING, AND**
27 **SIGNAGE**

28
29 **18-3-104. Parking space requirements.**

30
31 The minimum onsite required parking spaces are listed in the chart below. They may
32 be increased based on site development plan review or special exception approval, reduced
33 as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The
34 Planning and Zoning Officer may determine reasonable and appropriate onsite parking
35 requirements for structures and land uses that are not listed on the chart based on
36 requirements for similar uses, comments from reviewing agencies, and the parking needs
37 of the proposed use.
38

Use	Parking

Conference retreat facility	1 space for every 2 people at rated capacity per Fire Prevention Code, plus 1 space for each employee and at least 5 spaces for visitors
DATA STORAGE CENTER	1 SPACE PER 1,000 SQUARE FEET OF FLOOR AREA FOR THE FIRST 5,000 SQUARE FEET AND 1 SPACE PER EACH ADDITIONAL 5,000 SQUARE FEET OF FLOOR AREA

TITLE 5. COMMERCIAL DISTRICTS

18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.

The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.

Permitted, Conditional, Special Exception and Business Complex Auxiliary Uses	C1	C2	C3	C4

Dance halls			SE	SE
DATA STORAGE CENTER IN THE BWI/FORT MEADE GROWTH AREA		C	C	

TITLE 6. INDUSTRIAL DISTRICTS

18-6-103. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the industrial districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and A= auxiliary use to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed, except that outside storage as an accessory use in W1 is limited to 15% of the allowed lot coverage.

Permitted, Conditional, and Special Exception Uses	W1	W2	W3

Convenience stores, gift shops, and newsstands	A	A	
DATA STORAGE CENTER	P	P	P

TITLE 8. MIXED USE DISTRICTS

18-8-301. Permitted uses; conditional uses.

(b) **Categories in chart.** The chart in this section divides the permitted and conditional uses allowed under the optional method of development into the categories of residential,

1 retail and service, office, and industrial, and the uses are subject to the percentage
 2 limitations on those categories described in § 18-8-302.

	MXD- R	MXD- C	MXD- E	MXD- T

Industrial				

Cabinetry and specialty lumber mill working and sales			P	
DATA STORAGE CENTER			P	

4
 5 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

6
 7 **18-10-118. Data storage centers in the BWI/Fort Meade Growth Area.**

8
 9 DATA STORAGE CENTERS IN THE BWI/FORT MEADE GROWTH AREA SHALL COMPLY
 10 WITH ALL OF THE FOLLOWING REQUIREMENTS.

11
 12 (1) THE FACILITY SHALL BE LOCATED ON A LOT OR CONTIGUOUS LOTS THAT
 13 TOTAL AT LEAST 25 ACRES.

14
 15 (2) THE FACILITY SHALL COMPLY WITH ALL APPLICABLE BULK REGULATIONS FOR
 16 THE ZONING DISTRICT IN WHICH THE FACILITY IS LOCATED, EXCEPT THAT THE BULK
 17 REGULATIONS CONTAINED IN THE FOLLOWING CHART SHALL BE MET:

MINIMUM SETBACKS FOR PRINCIPAL STRUCTURES:	
FRONT LOT LINE	50 FEET
SIDE LOT LINE	30 FEET
REAR LOT LINE	30 FEET
FREEWAY	100 FEET
DIVIDED PRINCIPAL ARTERIAL ROAD	60 FEET
ANY OTHER PUBLIC ROAD OR RIGHT-OF-WAY	50 FEET

18
 19
 20 (3) A VARIANCE MAY NOT BE GRANTED THAT REDUCES THE MINIMUM SETBACK
 21 REQUIREMENTS SPECIFIED IN SUBSECTION (2).

22
 23 (4) THE LOT OR CONTIGUOUS LOTS ON WHICH THE DATA CENTER IS LOCATED MAY
 24 NOT INCLUDE RESIDENTIAL DWELLING UNITS.

25
 26 (5) OUTSIDE STORAGE IS PERMITTED AS AN ACCESSORY USE, PROVIDED NO MORE
 27 THAN 15% OF THE TOTAL ALLOWED LOT COVERAGE IS USED FOR OUTSIDE STORAGE.

28
 29 (6) THE LOT OR CONTIGUOUS LOTS COMPRISING THE FACILITY SHALL BE LOCATED
 30 IN THE BWI/FORT MEADE GROWTH AREA, AS SHOWN ON THE OFFICIAL MAP ADOPTED BY
 31 THE COUNTY COUNCIL ENTITLED "BWI/FORT MEADE GROWTH AREA, 2016".

32
 33 **SECTION 3.** *And be it further enacted,* That this Ordinance shall take effect 45 days
 34 from the date it becomes law.

READ AND PASSED this 16th day of November, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 17th day of November, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 25th day of November, 2020



Steuart Pittman
County Executive

EFFECTIVE DATE: January 9, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 90-20. THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer