

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 30

Bill No. 72-15

Introduced by Mr. Smith

By the County Council, June 15, 2015

Introduced and first read on June 15, 2015
Public Hearing set for July 20, 2015
Public Hearing held on September 8, 2015
Bill VOTED ON September 8, 2015
Bill Expires September 18, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development and Zoning – Residential
2 Subdivisions Abutting Heavy Industrial Zones

3
4 FOR the purpose of establishing certain criteria for residential subdivisions developed on
5 property abutting property zoned as a W3 Industrial zone; providing for application of
6 setback provisions for residential subdivisions abutting W3 Industrial zoned property;
7 and generally related to subdivision and development and zoning.

8
9 BY adding: §§ 17-3-505, 18-1-101(34)(ix) and 18-2-301(g)
10 Anne Arundel County Code (2005, as amended)

11
12 BY repealing and reenacting with amendments: § 18-4-106
13 Anne Arundel County Code (2005, as amended)

14
15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
16 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
17 follows:

18
19 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**
20

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Asterisks***indicate existing Code provisions in a list or chart that remain unchanged.

1
2
3 **TITLE 3. SUBDIVISION**

4
5
6 **17-3-505. Residential Subdivisions Abutting Heavy Industrial Zones.**

7 A RESIDENTIAL SUBDIVISION ON PROPERTY ABUTTING A W3 HEAVY INDUSTRIAL
8 ZONE SHALL BE A CLUSTER DEVELOPMENT PURSUANT TO §17-3-502. FOR A RESIDENTIAL
9 SUBDIVISION DEVELOPED ON A PARCEL OF AT LEAST 20 ACRES UNDER THIS SECTION,
10 THE OFFICE OF PLANNING AND ZONING SHALL APPROVE A DEVELOPMENT IN
11 ACCORDANCE WITH BULK REGULATIONS UNDER §18-4-601 OF THIS CODE IN ORDER TO
12 ENSURE, TO THE EXTENT REASONABLY PRACTICABLE, SUFFICIENT BUFFERS FOR THE
13 CLUSTER SUBDIVISION FOR SIGHT OBSTRUCTION AND TO SHIELD AGAINST NUISANCES,
14 INCLUDING NOISE, LIGHT, VIBRATIONS, NOXIOUS ODORS, DUST, OR DEBRIS EMANATING
15 FROM THE ABUTTING INDUSTRIAL ZONE.

16 **ARTICLE 18. ZONING**

17 **TITLE 1. DEFINITIONS**

18
19 **18-1-101. Definitions.**

20
21 Unless defined in this article, the Natural Resources Article of the State Code, or
22 COMAR, words defined elsewhere in this Code apply in this article. The following
23 words have the meanings indicated:
24

25 (34) "Dwelling unit" means a single unit, including attached garages and decks,
26 providing complete, independent living facilities for at least one person, including
27 permanent provisions for sanitation, cooking, eating, sleeping, and other activities
28 routinely associated with daily life. The following variations of "dwelling" have the
29 meanings indicated:
30

31 (IX) "DWELLING UNIT, ABUTTING HEAVY INDUSTRIAL ZONE" MEANS A DWELLING
32 UNIT APPROVED PURSUANT TO §17-3-505 OF THIS CODE.
33

34 **TITLE 2. GENERAL PROVISIONS**

35
36 **18-2-301. Setbacks.**

37
38 (G) **Residential Subdivisions Abutting Heavy Industrial Zones.** A DWELLING
39 ON A LOT IN A RESIDENTIAL SUBDIVISION THAT ABUTS A W3 INDUSTRIAL DISTRICT
40 SHALL COMPLY WITH THE SETBACK REQUIREMENTS FOR THE DISTRICT IN WHICH THE
41 PROPERTY IS LOCATED OR THE SETBACK REQUIREMENTS PERMITTED PURSUANT TO §17-
42 3-505 OF THIS CODE.
43

44 **TITLE 4. RESIDENTIAL DISTRICTS**

45
46 **18-4-106. Permitted, conditional, and special exception uses.**

47
48 The permitted, conditional, and special exception uses allowed in each of the
49 residential districts are listed in the chart in this section using the following key: P =
50 permitted use; C = conditional use; SE = special exception use. A blank means that the
51 use is not allowed in the district. Except as provided otherwise in this article, uses and

1 structures customarily accessory to the listed uses also are allowed, except that guest
2 houses as accessory structures are prohibited and outside storage as an accessory use is
3 limited to the lesser of 10% of the allowed lot coverage or 500 square feet.
4


Permitted, Conditional, and Special Exception Uses	RA	RLD	R1	R2	R5	R10	R15	R22

Dwelling units, adult independent	P	P	P	P	P	P	P	P
DWELLING UNIT, ABUTTING HEAVY INDUSTRIAL ZONE			P	P				

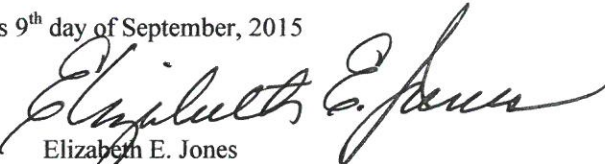
6
7 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45
8 days from the date it becomes law.

READ AND PASSED this 8th day of September, 2015

By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 9th day of September, 2015

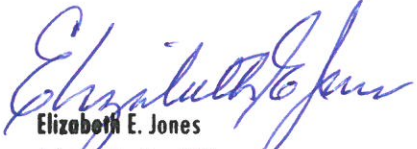

Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 11 day of September, 2015


Steven R. Schuh
County Executive

EFFECTIVE DATE: October 26, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO. 72-15. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer