

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2014, Legislative Day No. 39

Bill No. 81-14

Introduced by Mr. Walker

By the County Council, December 1, 2014

Introduced and first read on December 1, 2014  
Public Hearing set for and held on January 5, 2015  
Public Hearing on AMENDED BILL set for and held on January 20, 2015  
Public Hearing on SECOND AMENDED BILL set for and held on February 2, 2015  
Bill Expires March 6, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: ~~Zoning – Maritime Districts – Non-Water Dependent~~  
2 ~~Projects – Critical Area – Accessory Uses~~

3  
4 FOR the purpose of ~~defining a certain term; adding certain non-water dependent projects~~  
5 ~~as a permitted use in certain Maritime districts; adding restaurants and banquet halls~~  
6 ~~as a permitted accessory use on piers in the Critical Area in certain circumstances;~~  
7 ~~and generally related to zoning.~~

8  
9 ~~BY renumbering: § 18-1-101(64) through (130) to be 18-1-101(65) through (131),~~  
10 ~~respectively~~  
11 ~~— Anne Arundel County Code (2005, as amended)~~

12  
13 ~~BY adding: § 18-1-101(64)~~  
14 ~~— Anne Arundel County Code (2005, as amended)~~

15  
16 ~~BY repealing and reenacting with amendments: § 18-7-107 18-13-204~~  
17 ~~Anne Arundel County Code (2005, as amended)~~

18  
19 ~~SECTION 1. Be it enacted by the County Council of Anne Arundel County,~~  
20 ~~Maryland, That § 18-1-101(64) through (130) of the Anne Arundel County Code (2005,~~  
21 ~~as amended) is hereby renumbered to be § 18-1-101(65) through (131), respectively.~~

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.  
Underlining indicates amendments to bill.  
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 —SECTION 2. ~~And be it further enacted~~, That Section(s) of the Anne Arundel County  
 2 Code (2005, as amended) read as follows:

3  
 4 SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland.  
 5 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

6  
 7 **ARTICLE 18. ZONING**

8  
 9 **TITLE 1. DEFINITIONS**

10  
 11 ~~18-1-101. Definitions~~

12  
 13 ~~(64) "NON-WATER DEPENDENT PROJECT" HAS THE MEANING STATED IN THE~~  
 14 ~~NATURAL RESOURCES ARTICLE, § 8-1808.4, OF THE STATE CODE.~~

15  
 16 ~~TITLE 7. MARITIME DISTRICTS~~

17  
 18 ~~18-7-107. Permitted, conditional, and special exception uses.~~

19  
 20 ~~The permitted, conditional, and special exception uses allowed in each of the Maritime~~  
 21 ~~group districts are listed in the chart in this section using the following key: P = permitted~~  
 22 ~~use; C = conditional use; SE = special exception use. A blank means that the use is not~~  
 23 ~~allowed in the district. Except as provided otherwise in this article, uses and structures~~  
 24 ~~customarily accessory to the listed uses also are allowed.~~

25 -

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>MA1</b>	<b>MA2</b>	<b>MA3</b>	<b>MB</b>	<b>MC</b>
***					
Marine Salvage and Towing Operations					P
NONWATER DEPENDENT PROJECTS THAT COMPLY WITH THE NATURAL RESOURCES ARTICLE, §8-1808.4, OF THE STATE CODE		P	P	P	P
***					

27  
 28 **TITLE 13. CRITICAL AREA OVERLAY**

29  
 30 **18-13-204. IDA uses.**

31  
 32 (A) Generally. The uses allowed in the IDA are those uses allowed in the underlying  
 33 zoning district in accordance with the requirements of the district in which the use is  
 34 located, except that the following uses are allowed only if the use results in a net  
 35 improvement in water quality to the adjacent body of water:

- 36  
 37 (1) non-maritime heavy industrial facilities;  
 38

1 (2) permanent sludge handling, storage, or disposal facilities other than those  
2 associated with wastewater treatment facilities; and

3  
4 (3) transportation facilities to serve allowed uses or a regional or interstate  
5 transportation facility that must cross tidal waters.

6  
7 (B) Accessory uses. RESTAURANTS AND BANQUET HALLS ARE PERMITTED ON A PIER  
8 AS AN ACCESSORY TO A COMMERCIAL USE ON PIERS IN MARITIME AND COMMERCIAL  
9 DISTRICTS, ONLY IN ACCORDANCE WITH THE NATURAL RESOURCES ARTICLE, §8-  
10 1808.4(C), OF THE STATE CODE, AND IF PROVIDED THE PRINCIPAL AND ACCESSORY USES  
11 ARE ALLOWED IN THE UNDERLYING ZONING DISTRICTS IN ACCORDANCE WITH THE  
12 REQUIREMENTS OF THE DISTRICT.

13  
14 SECTION 3 2. *And be it further enacted,* That this Ordinance shall take effect 45  
15 days from the date it becomes law.

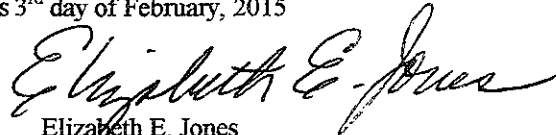
16  
AMENDMENTS ADOPTED: January 5 and 20, 2015

READ AND PASSED this 2<sup>nd</sup> day of February, 2015


By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for his approval this 3<sup>rd</sup> day of February, 2015

  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this 6 day of February, 2015

  
Steven R. Schuh  
County Executive

EFFECTIVE DATE: March 23, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
81-14. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer