

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 41

Bill No. 96-16

Introduced by Mr. Pruski

By the County Council, December 19, 2016

Introduced and first read on December 19, 2016
Public Hearing set for and held on January 17, 2017
Bill Expires March 24, 2017

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Eating Disorder Treatment Facility

2
3 FOR the purpose of defining “eating disorder treatment facility” and “eating disorder
4 treatment unit”; establishing parking requirements for eating disorder treatment
5 facilities; permitting eating disorder treatment facilities as a special exception in an
6 R1 zoning district; establishing special exception use requirements for eating disorder
7 treatment facilities; and generally relating to eating disorder treatment facilities.

8
9 BY renumbering: §§ 18-1-101(39) through (143) to be 18-1-101 (41) through (145) (as
10 amended by Bills Nos. 75-16 and 83-16), respectively; and §§ 18-11-124 through 18-
11 11-162 as 18-11-125 through 18-11-163, respectively
12 Anne Arundel County Code (2005, as amended)

13
14 BY adding: §§ 18-1-101(38) and (39); and 18-11-124
15 Anne Arundel County Code (2005, as amended)

16
17 BY repealing and reenacting, with amendments: §§ 18-3-104 and 18-4-106
18 Anne Arundel County Code (2005, as amended)

19
20 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
21 *Maryland,* That §§ 18-1-101(39) through 18-1-101(143) and 18-11-124 through 18-11-
22 162 of the Anne Arundel County Code (2005, as amended) (and as amended by Bill Nos.
23 75-16 and 83-16) are hereby renumbered to be §§ 18-1-101 (41) through (145) and 18-
24 11-125 through 18-11-163, respectively.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

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

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

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

(38) "EATING DISORDER TREATMENT FACILITY" MEANS A PRIVATE, INPATIENT FACILITY TREATING PERSONS FOR AND WITH A PRIMARY MENTAL HEALTH DIAGNOSIS OF EATING DISORDER AT THE TIME OF ADMISSION THAT IS LICENSED AND ACCREDITED AS REQUIRED BY §§ 10-501, ET SEQ., OF THE HEALTH GENERAL ARTICLE OF THE STATE CODE AND AS OTHERWISE REQUIRED BY FEDERAL AND STATE LAW AND REGULATIONS.

(39) "EATING DISORDER TREATMENT UNIT" MEANS A DISCRETE LIVING SPACE WITHIN AN EATING DISORDER TREATMENT FACILITY OCCUPIED BY INDIVIDUALS RECEIVING TREATMENT IN AN EATING DISORDER TREATMENT FACILITY THAT IS LICENSED AND ACCREDITED AS REQUIRED BY §§ 10-501, ET SEQ., OF THE HEALTH GENERAL ARTICLE OF THE STATE CODE AND AS OTHERWISE REQUIRED BY FEDERAL AND STATE LAW AND REGULATIONS.

TITLE 3. PARKING, NONRESIDENTIAL OUTDOOR LIGHTING, AND SIGNAGE

18-3-104. Parking space requirements.

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

Use	Parking

Dwellings, multifamily	
Efficiency and 1 bedroom	1 space for each dwelling unit
2 bedrooms	2 spaces for each dwelling unit
3 or more bedrooms	3 spaces for each dwelling unit
EATING DISORDER TREATMENT FACILITY	1 SPACE FOR EVERY 3 EATING DISORDER TREATMENT UNITS PLUS 1 SPACE FOR EACH EMPLOYEE PER MAJOR SHIFT

TITLE 4. RESIDENTIAL DISTRICTS

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

The permitted, conditional, and special exception uses allowed in each of the residential districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception 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 the listed uses also are allowed, except that guest houses as accessory structures are prohibited and outside storage as an accessory use is limited to the lesser of 10% of the allowed lot coverage or 500 square feet.

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

Dwellings, townhouses					C	C	C	
EATING DISORDER TREATMENT FACILITY			SE					

TITLE 11. REQUIREMENTS FOR SPECIAL EXCEPTION USES

18-11-124. Eating Disorder Treatment Facility.

AN EATING DISORDER TREATMENT FACILITY SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

(1) THE FACILITY SHALL BE LOCATED WITHIN ONE HALF MILE OF A PRINCIPAL ARTERIAL ROAD.

(2) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST FOUR ACRES.

(3) STRUCTURES SHALL BE LOCATED AT LEAST 50 FEET FROM THE FRONT AND REAR LOT LINES AND 20 FEET FROM THE SIDE LOT LINES.

(4) THE FACILITY MAY NOT HAVE MORE THAN 100 EATING DISORDER TREATMENT UNITS.

(5) MAXIMUM COVERAGE BY STRUCTURES AND PARKING MAY NOT EXCEED 60% OF THE GROSS AREA OF THE LOT.

(6) NO OFF-SITE PARKING ON PUBLIC STREETS SHALL BE PERMITTED.

(7) THE FLOOR AREA OF EACH EATING DISORDER TREATMENT UNIT SHALL BE LIMITED TO NOT MORE THAN 1,000 SQUARE FEET.

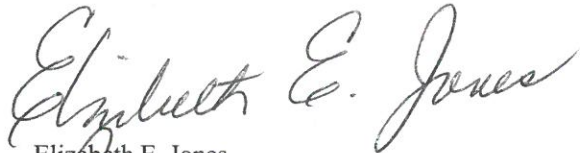
(8) ANY SOURCE OF POTENTIAL NUISANCE, INCLUDING A LAUNDRY OPERATION, POWER PLANT, RESTAURANT, CAFETERIA, KITCHEN, UNLOADING AREA FOR SUPPLIES AND FOOD, GARBAGE LOADING AREA, OR INCINERATOR SHALL BE LOCATED IN A

1 MANNER TO SHIELD SURROUNDING RESIDENTIAL PROPERTY FROM THE EFFECTS OF
2 NOISE, LIGHT, HAZARDS, AND OTHER OFFENSIVE CONDITIONS.

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

READ AND PASSED this 17th day of January, 2017

By Order:



Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 18th day of January, 2017



Elizabeth E. Jones
Administrative Officer

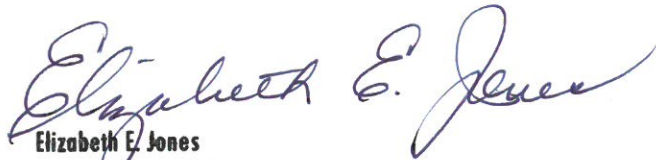
APPROVED AND ENACTED this 23rd day of January, 2017



Steven R. Schuh
County Executive

EFFECTIVE DATE: March 9, 2017

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
96-16 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer