

# PROPOSED

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 1

Bill No. 2-16

Introduced by Mr. Fink, Chairman  
(by request of the County Executive)

By the County Council, January 4, 2016

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Introduced and first read on January 4, 2016  
Public Hearing set for February 1, 2016  
Bill Expires April 8, 2016

By Order: Elizabeth E. Jones, Administrative Officer

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### A BILL ENTITLED

- 1 AN ORDINANCE concerning: Zoning – Alcoholic Beverage Uses and Package Goods  
2 Stores  
3  
4 FOR the purpose of defining “package goods store”; amending the designation of alcoholic  
5 beverage uses allowed as accessory to other uses in residential, maritime, mixed use and  
6 open space zoning districts; allowing “package goods stores” as a conditional use in  
7 mixed use districts; making a technical change to the conditional use requirement for  
8 alcoholic beverage uses in a video lottery facility; and generally relating to zoning  
9  
10 BY adding: § 18-1-101(72)  
11 Anne Arundel County Code (2005, as amended)  
12  
13 BY repealing and reenacting, with amendments: §§ 18-4-106; 18-7-107; 18-8-301; 18-9-202;  
14 and 18-10-147(c) (as amended by Bill No. 96-15)  
15 Anne Arundel County Code (2005, as amended)  
16  
17 BY renumbering: § 18-1-101(72) through (137) to be § 18-1-101(73) through (138),  
18 respectively  
19 Anne Arundel County Code (2005, as amended)  
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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 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
2 That § 18-1-101(72) through (137) of the Anne Arundel County Code (2005, as amended)  
3 are hereby renumbered to be § 18-1-101(73) through (138), respectively.  
4

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

8 **ARTICLE 18. ZONING**

9  
10 **TITLE 1. GENERAL PROVISIONS**

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12 **18-1-101. Definitions.**

13  
14 Unless defined in this article, the Natural Resources Article of the State Code, or  
15 COMAR, words defined elsewhere in this Code apply in this article. The following words  
16 have the meanings indicated:  
17

18 (72)“PACKAGE GOODS STORE” MEANS A RETAIL STORE THAT KEEPS FOR SALE AND  
19 SELLS BEER, WINE, AND LIQUOR IN SEALED PACKAGES OR CONTAINERS THAT MAY NOT BE  
20 OPENED OR CONSUMED ON THE PREMISES WHERE SOLD.  
21

22 **TITLE 4. RESIDENTIAL DISTRICTS**

23  
24 **18-4-106. Permitted, conditional, and special exception uses.**

25  
26 The permitted, conditional, and special exception uses allowed in each of the residential  
27 districts are listed in the chart in this section using the following key: P = permitted use; C =  
28 conditional use; SE = special exception use. A blank means that the use is not allowed in the  
29 district. Except as provided otherwise in this article, uses and structures customarily accessory  
30 to the listed uses also are allowed, except that guest houses as accessory structures are  
31 prohibited and outside storage as an accessory use is limited to the lesser of 10% of the  
32 allowed lot coverage or 500 square feet.  
33

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>RA</b>	<b>RLD</b>	<b>R1</b>	<b>R2</b>	<b>R5</b>	<b>R10</b>	<b>R15</b>	<b>R22</b>
Alcoholic beverage uses AS accessory to other uses	C	C	C	C	C	C	C	C

34  
35 **TITLE 7. MARITIME DISTRICTS**

36  
37 **18-7-107. Permitted, conditional and special exception uses.**

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

Permitted, Conditional, and Special Exception Uses	MA1	MA2	MA3	MB	MC
Alcoholic beverage uses [if] AS accessory to other uses		C	C	C	C

**TITLE 8. MIXED USE DISTRICTS**

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

(a) **Uses allowed.** The permitted and conditional uses under the optional method of development are listed in the chart in this section using the following key: P = permitted use; C = conditional use. A blank space means that the use is not allowed in the district. Uses and structures customarily accessory to the listed uses also are allowed, except that outside storage as an accessory use is not allowed.

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

	MXD-R	MXD-C	MXD-E	MXD-T
<b>Retail and Service</b>				
***				
Alcoholic beverage [sales and] uses AS ACCESSORY TO OTHER USES	C	C	C	C
***				
Opticians or optometrical establishments	P	P	P	P
PACKAGE GOODS STORES	C	C	C	C
***				

**TITLE 9. OTHER ZONING DISTRICTS**

**18-9-202. Permitted, conditional, and special exception uses.**

The permitted, conditional, and special exception uses allowed in Open Space Districts (OS) and in the Open Space Conservation Overlay (OS-C) are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. Except as provided otherwise in this article, uses and structures customarily accessory to the listed uses also are allowed.

Permitted, Conditional, and Special Exception Uses	OS	OS-C
Alcoholic beverage uses AS accessory to other uses	C	

1                   **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

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3           **18-10-147. Video Lottery Facilities.**

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5           (c) **Alcoholic beverages.** A video lottery facility may operate alcoholic beverage uses AS  
6 accessory to other uses in the W1 – Industrial Park District and in a regional commercial  
7 complex subject to the requirements of § 18-10-103 and State law and regulation.

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