

FINAL

AMENDED
May 4, 2015

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 7

Bill No. 23-15

Introduced by Mr. Walker, Chairman
(by request of the County Executive)
and Mr. Pruski, Mr. Smith, and Mr. Walker

By the County Council, April 6, 2015

Introduced and first read on April 6, 2015
Public Hearing set for and held on May 4, 2015
Public Hearing on AMENDED BILL set for and held on May 18, 2015
Bill Expires July 10, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Assisted Living Facilities, Community-Based
2 Assisted Living Facilities, and Group Homes
3

4 FOR the purpose of amending the definitions of “assisted living facility” and “group home”;
5 adding a definition of “community-based assisted living facility”; revising parking criteria
6 for group homes; adding community-based assisted living facilities as a permitted use in
7 all residential zoning districts; and generally relating to zoning.
8

9 BY repealing and reenacting, with amendments: §§ 18-1-101(9) and (43); 18-3-104; and 18-
10 4-106, as amended by Bill Nos. 7-15 and 8-15
11 Anne Arundel County Code (2005, as amended)
12

13 BY renumbering: § 18-1-101(10) through (135) to be § 18-1-101(11) through (136),
14 respectively, as amended by Bill No. 7-15 and 8-15
15 Anne Arundel County Code (2005, as amended)
16

17 BY adding: § 18-1-101(10)
18 Anne Arundel County Code (2005, as amended)

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 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 That § 18-1-101(10) through (135) of the Anne Arundel County Code (2005 as amended)
3 (and as amended by Bill No. 7-15 and 8-15) is hereby renumbered to be § 18-1-101(11)
4 through (136), respectively.

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

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9 **ARTICLE 18. ZONING**

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11 **TITLE 1. DEFINITIONS**

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

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

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19 (9) "Assisted living facility" means a facility with an assisted living program as defined in
20 the Health-General Article, § 19-1801, of the State Code THAT IS NOT A GROUP HOME OR A
21 COMMUNITY-BASED ASSISTED LIVING FACILITY.

22
23 (10) "ASSISTED LIVING FACILITY, COMMUNITY-BASED" MEANS A FACILITY WITH AN
24 ASSISTED LIVING PROGRAM AS DEFINED IN THE HEALTH-GENERAL ARTICLE, § 19-1801, OF THE
25 STATE CODE THAT IS NOT A GROUP HOME AND THAT HOUSES NO MORE THAN 16 RESIDENTS
26 OTHER THAN STAFF.

27
28 [(43)](44) "Group home" means a [community-based] residential facility AUTHORIZED BY
29 FEDERAL, STATE OR LOCAL LAW OR REGULATION, OR licensed or supervised by a federal,
30 State, or local agency [that houses individuals who require care, supervision, or assistance in a
31 family care, group care, foster care, or boarding facility] THAT SOLELY HOUSES PERSONS,
32 OTHER THAN STAFF, WITH INTELLECTUAL, DEVELOPMENTAL, OR PHYSICAL DISABILITIES, OR
33 MENTAL HEALTH ISSUES.

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35 **TITLE 3. PARKING, NONRESIDENTIAL OUTDOOR LIGHTING**
36 **AND SIGNAGE**

37
38 **18-3-104. Parking space requirements.**

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

1

<u>Use</u>	<u>Parking</u>

<u>Group Homes</u>	<u>[2 spaces for each dwelling unit, one space for each employee] 1 SPACE FOR EACH EMPLOYEE PER MAJOR SHIFT AND 1 SPACE FOR EVERY 4 RESIDENTS OF A GROUP HOME</u>

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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

Assisted living facilities		SE	SE	SE	SE	SE	SE	SE
ASSISTED LIVING FACILITIES, COMMUNITY-BASED	P	P	P	P	P	P	P	P

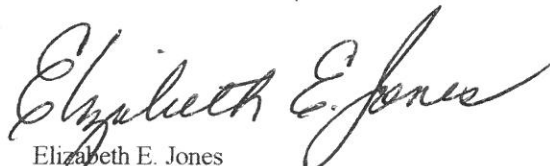
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SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENT ADOPTED: May 4, 2015

READ AND PASSED this 18th day of May, 2015

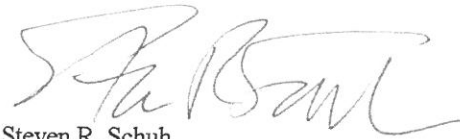
By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of May, 2015


Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 27 day of May, 2015



Steven R. Schuh
County Executive

EFFECTIVE DATE: July 11, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
23-15. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer